

SOUTH CAROLINA.

James Marion Byrd to be postmaster at Branchville, Orangeburg County, S. C.

Joseph P. Murphy to be postmaster at Bamberg, Bamberg County, S. C.

George A. Reed to be postmaster at Beaufort, Beaufort County, S. C.

WYOMING.

Joseph L. Kidweil to be postmaster at Douglas, Converse County, Wyo.

Joseph Munz to be postmaster at Saratoga, Carbon County, Wyo.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, April 29, 1908.

[Continuation of the legislative day of Monday, April 20, 1908.]

The recess having expired, at 11.30 o'clock a. m. the House was called to order by the Speaker.

REPRINT OF BILL.

Mr. CURRIER. Mr. Speaker, I ask unanimous consent for the reprint of the bill H. R. 21357, with permission to correct a typographical error.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

SUNDRY CIVIL APPROPRIATION BILL.

The SPEAKER. The question is on the motion of the gentleman from Iowa [Mr. SMITH] that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 21260, the sundry civil appropriation bill.

The question was taken.

Mr. WILLIAMS. Mr. Speaker, I call for the yeas and nays.

The SPEAKER. The gentleman from Mississippi demands the yeas and nays.

Mr. PAYNE. Mr. Speaker, I make the point of order that no quorum is present.

The SPEAKER. The Chair will count. [After counting.] Sixty-six Members are present; not a quorum. The Doorkeeper will close the doors, the Sergeant-at-Arms will notify absent Members; as many as are in favor of the motion will, as their names are called, answer "yea," and as many as are opposed will answer "nay;" those present and not voting will answer "present," and the Clerk will call the roll.

The question was taken, and there were—yeas 267, answered "present" 9, not voting 111, as follows:

YEAS—267.

Adair	Cooper, Tex.	Granger	Knapp
Adamson	Cooper, Wis.	Greene	Knopf
Aiken	Cousins	Gregg	Knowland
Alexander, Mo.	Cox, Ind.	Gronna	Klistermann
Alexander, N. Y.	Cravens	Hackney	Lafean
Ames	Crumpacker	Hale	Lamar, Mo.
Andrus	Currier	Hall	Lamb
Ansberry	Cushman	Hamilton, Iowa	Landis
Ashbrook	Dalzell	Hamilton, Mich.	Langley
Bartholdt	Darragh	Hamlin	Lanning
Bartlett, Nev.	Davenport	Hammond	Lawrence
Beale, Ia.	Davis, Minn.	Harding	Leake
Beall, Tex.	Dawson	Hardy	Lenahan
Bede	De Armond	Harrison	Lever
Bell, Ga.	Denver	Haskins	Lindbergh
Bennet, N. Y.	Diekema	Haugen	Lindsay
Birdsall	Dixon	Hawley	Lloyd
Bonyng	Draper	Hay	Longworth
Booher	Driscoll	Heflin	Loudenslager
Bowers	Dwight	Helm	Lovering
Boyd	Ellerbe	Henry, Conn.	McCall
Brantley	Ellis, Mo.	Higgins	McDermott
Brodhead	Ellis, Oreg.	Hill, Miss.	McGavin
Brownlow	Englebright	Hinshaw	McGuire
Brumm	Esch	Holliday	McKinley, Ill.
Burgess	Favrot	Houston	McKinney
Burleigh	Ferris	Howell, N. J.	McLachlan, Cal.
Burleson	Finley	Howell, Utah	McLain
Burnett	Fitzgerald	Howland	McLaughlin, Mich.
Burton, Del.	Flood	Hubbard, Iowa	McMillan
Byrd	Floyd	Hughes, N. J.	McMorran
Calder	Focht	Hull, Iowa	Macon
Caldwell	Fornes	Hull, Tenn.	Madden
Campbell	Foss	Humphrey, Wash.	Madison
Candler	Foster, Ill.	Humphreys, Miss.	Malby
Capron	Foster, Ind.	James, Oille M.	Mann
Carter	Foulkrod	Jenkins	Miller
Caulfield	Fowler	Johnson, Ky.	Mondell
Chaney	French	Johnson, S. C.	Moon, Pa.
Chapman	Gaines, Tenn.	Jones, Va.	Moon, Tenn.
Clark, Mo.	Gaines, W. Va.	Jones, Wash.	Moore, Tex.
Clayton	Gardner, N. J.	Keller	Morse
Cocks, N. Y.	Garner	Kelher	Mouser
Cole	Gilhams	Kennedy, Iowa	Murdoch
Conner	Gill	Kennedy, Ohio	Murphy
Cook, Colo.	Goldfogle	Kinkaid	Nelson
Cook, Pa.	Graft	Kipp	Nicholls
Cooper, Pa.	Graham	Kitchin, Claude	Norris

Nye	Reid	Small	Thomas, Ohio
O'Connell	Rhinock	Smith, Cal.	Tirrell
Overstreet	Richardson	Smith, Iowa	Tou Velle
Padgett	Riordan	Smith, Mo.	Townsend
Page	Robinson	Smith, Tex.	Underwood
Parker, N. J.	Rodenberg	Southwick	Volstead
Parker, S. Dak.	Rothermel	Sparkman	Waldo
Parsons	Rucker	Sperry	Wanger
Patterson	Russell, Mo.	Spight	Washburn
Payne	Russell, Tex.	Stafford	Watson
Perkins	Ryan	Stanley	Webb
Pollard	Sabath	Stephens, Tex.	Weeks
Porter	Saunders	Sterling	Wheeler
Pray	Scott	Sturgiss	Williams
Prince	Sheppard	Sulloway	Wilson, Ill.
Rainey	Sherley	Talbott	Wilson, Pa.
Ransdell, La.	Sherman	Taylor, Ala.	Wood
Rauch	Sims	Taylor, Ohio	Young
Reeder	Slayden	Thomas, N. C.	

ANSWERED "PRESENT"—0.

Bartlett, Ga.	Glass	Hardwick	Lassiter
Boutell	Goulden	Howard	Shackleford
Garrett			

NOT VOTING—111.

Acheson	Dunwell	Huff	Pearre
Allen	Durey	Hughes, W. Va.	Peters
Anthony	Edwards, Ga.	Jackson	Pou
Bannon	Edwards, Ky.	James, Addison D.	Powers
Barchfeld	Fairchild	Kahn	Pratt
Barclay	Fassett	Kimball	Pujo
Bates	Fordney	Kitchin, Wm. W.	Randell, Tex.
Bennett, Ky.	Poster, Vt.	Lamar, Fla.	Reynolds
Bingham	Fuller	Law	Roberts
Bradley	Fulton	Lee	Sherwood
Broussard	Gardner, Mass.	Legare	Slemp
Brundidge	Gardner, Mich.	Lewis	Smith, Mich.
Burke	Gillespie	Lilley	Snapp
Burton, Ohio	Gillett	Littlefield	Steenerson
Butler	Godwin	Livingston	Stevens, Minn.
Calderhead	Goebel	Lorimer	Sulzer
Carlin	Gordon	Loud	Tawney
Cary	Griggs	Lowden	Thistlewood
Clark, Fla.	Hackett	McCreary	Vreeland
Cockran	Haggott	McHenry	Wallace
Coudrey	Hamill	McKinlay, Cal.	Watkins
Craig	Hayes	Marshall	Weems
Crawford	Henry, Tex.	Maynard	Weisse
Davey, La.	Hepburn	Moore, Pa.	Wiley
Davidson	Hill, Conn.	Mudd	Willett
Dawes	Hitchcock	Needham	Wolf
Denby	Hobson	Olcott	Woodyard
Douglas	Hubbard, W. Va.	Olmsted	

The Clerk announced the following pairs:

For this session:

Mr. BRADLEY with Mr. GOULDEN.

Until further notice:

Mr. BANNON with Mr. BRUNDIDGE.

Mr. BARCHFELD with Mr. CARLIN.

Mr. BATES with Mr. CLARK of Florida.

Mr. CALDERHEAD with Mr. CRAWFORD.

Mr. DAVIDSON with Mr. DAVEY of Louisiana.

Mr. DENBY with Mr. FULTON.

Mr. DOUGLAS with Mr. GILLESPIE.

Mr. DUNWELL with Mr. WATKINS.

Mr. FAIRCHILD with Mr. GODWIN.

Mr. GARDNER of Michigan with Mr. GORDON.

Mr. GILLETT with Mr. HACKETT.

Mr. HAYES with Mr. HAMILL.

Mr. HUBBARD of West Virginia with Mr. HENRY of Texas.

Mr. HUFF with Mr. HITCHCOCK.

Mr. KAHN with Mr. LASSITER.

Mr. LAW with Mr. LEE.

Mr. MOORE of Pennsylvania with Mr. LEWIS.

Mr. OLCOTT with Mr. MCHENRY.

Mr. OLMSTED with Mr. WEISSE.

Mr. SLEMP with Mr. MAYNARD.

Mr. SMITH of Michigan with Mr. RANDELL of Texas.

Mr. STEVENS of Minnesota with Mr. SHACKLEFORD.

Mr. TAWNEY with Mr. SULZER.

Mr. VREELAND with Mr. SHERWOOD.

Mr. WOODYARD with Mr. WILEY.

Mr. BURKE with Mr. WILLETT.

Mr. BOUTELL with Mr. GRIGGS.

Mr. MCKINLAY of California with Mr. GARRETT.

Mr. FOSTER of Vermont with Mr. POU.

Mr. BARCLAY with Mr. COCKRAN.

Mr. PEARRE with Mr. CRAIG.

Mr. BINGHAM with Mr. LAMAR of Florida.

Mr. FULLER with Mr. PETERS.

Mr. HEPBURN with Mr. LIVINGSTON.

Mr. HUGHES of West Virginia with Mr. LEGARE.

Mr. ROBERTS with Mr. BROUSSARD.

Mr. HAGGOTT with Mr. WILLIAM W. KITCHIN.

Mr. FASSETT with Mr. HARDWICK.

Mr. MUDD with Mr. WALLACE.

Mr. ADDISON D. JAMES with Mr. KIMBALL.

Mr. BENNETT of Kentucky with Mr. EDWARDS of Georgia.

Mr. COUDREY with Mr. HOBSON.
Mr. MCCREARY with Mr. HOWARD.
Mr. BUTLER with Mr. BARTLETT of Georgia.
Mr. HILL of Connecticut with Mr. GLASS.
Mr. LILLEY with Mr. PUJO.

For this day:

Mr. CARY with Mr. WOLF.
Mr. POWERS with Mr. PRATT.

The result of the vote was announced as above recorded.

The SPEAKER. On this question the yeas are 267, nays none, voting "present" 9—a quorum. The Doorkeeper will open the doors. The yeas have it, the motion is agreed to, and the gentleman from Indiana [Mr. WARSON] will take the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the further consideration of the sundry civil appropriation bill.

Mr. FITZGERALD. Mr. Chairman, I yield fifteen minutes to the gentleman from Pennsylvania [Mr. WILSON].

Mr. WILSON of Pennsylvania. Mr. Chairman, there is no country in the world where coal is mined under as favorable conditions as it is mined in the United States; there is no country in the world where the per diem production of the miners is greater than it is in this country; there is no country in the world where the workmen engaged in mining are of as high an average of intelligence as in the United States; and yet, notwithstanding that fact, notwithstanding the natural conditions we have and the intelligence of our workmen, there is no country in the world where the mortality in the mine is as great as it is with us.

During the past seventeen years, or from 1890 until 1906, the number of men killed in the coal mines of the United States aggregated 22,840. It was 701 in 1890 and 2,061 in 1906. The number of men killed in the coal mines in the United States for each 1,000 men employed was, in 1895, an average of 2.67; in 1906 it was 3.40, a decided increase. The number of lives lost in the coal mines of Belgium for each 1,000 employed was, in 1895, 1.40; in 1906, 0.94, less than one-third the number of whose lives were lost in the mines of the United States; and yet Belgium has the deepest mines in existence, the most gaseous mines known anywhere, and the most dangerous for men to work in. In Great Britain the number of men killed for each 1,000 men employed was, in 1891, 1.50; in 1906, 1.29, or much less than ours—just about one-half, or less than one-half, of the mortality there is in the United States—and yet in Great Britain they have deep mines, gaseous and dangerous to work in. In Prussia the number of men killed in the coal mines for each 1,000 employed was, in 1895, 2.54; in 1904, the last statistics that we have, 1.80; again a much less death rate than in our mines. There they have deep, gaseous, and dangerous mines. In France they have a rate killed per 1,000 men in the mines, in 1901, 1.03; in 1905, 0.84.

I cite these tables for the purpose of showing that under the rules, regulations, and laws governing the operation of mines in more dangerous territory than we have, there is greater freedom from accident than there is under our laws and our regulations. Belgium, France, Germany, and Great Britain have bureaus in which they investigate into the conditions existing in mines, experiment as to the causes that create the conditions, and endeavor to protect the lives of the men who are working in the mines in those respective countries.

Several bills have been introduced at the present session of Congress with a view to the establishment of a Bureau of Mines and Mining; not for the purpose of usurping the prerogatives of the various States, not for the purpose of taking from the various States the right to regulate the conditions existing in the mines within their respective boundaries, but for the purpose of establishing a bureau under the Federal Government that will investigate into the causes that lead up to the great disasters that are occurring continually in the coal mines of the United States, so that the information thereby obtained can be utilized by the various States for the protection of the lives and limbs of those engaged in the dangerous calling of mining coal.

Mr. GAINES of Tennessee. Will the gentleman yield to me?

Mr. WILSON of Pennsylvania. I yield to the gentleman.

Mr. GAINES of Tennessee. For the purpose of giving a comparison: The gentleman lives in Pennsylvania, and is a man versed in the laws of that State controlling mining. Now, what are the defects in the laws of Pennsylvania as compared with the laws of Holland and Belgium, where you say there are fewer accidents and yet they have deeper mines?

Mr. WILSON of Pennsylvania. Mr. Chairman, the defects of the law of the State of Pennsylvania and the laws of the State of Tennessee, and every other State in the United States where coal is produced, are that they are based upon insufficient information as to the causes of these accidents,

Mr. GAINES of Tennessee. What is the difference between the laws to prevent accidents?

Mr. WILSON of Pennsylvania. Mr. Chairman, the laws themselves vary considerably, the powers to enforce them vary considerably, and there are various conditions existing in the various countries concerning the composition of coal and the natural gases that are produced in the mines; and by the information secured by the governments of those countries they have been able to formulate their laws in such a manner as to protect life. In our country we have had no information produced by experiment or otherwise as to what extent coal dust accumulating in dry mines will cause explosions, and as to the extent—

Mr. CRUMPACKER. Will the gentleman allow a question?

Mr. WILSON of Pennsylvania. Certainly.

Mr. CRUMPACKER. If the States should enact laws making employers responsible for all risks incident to the service in mines, would not that do more than anything else, more than any other kind of a law, to reduce the percentage of mortality in the mines?

Mr. WILSON of Pennsylvania. Mr. Chairman, it would do a great deal to reduce the mortality in the mines, but I take it that no gentleman will assert that the coal operators or other employers deliberately create conditions in the mines by which the lives and health of their employees are endangered. If they do, it is through lack of knowledge as to what creates the dangerous conditions.

Mr. NICHOLLS. Is it not true that this bill provides for an investigation and the securing of necessary information and the disseminating of that information for the use of the States, so that they may intelligently make laws to safeguard the miners?

Mr. WILSON of Pennsylvania. It does.

Mr. GAINES of Tennessee. To what bill is the gentleman alluding?

Mr. WILSON of Pennsylvania. I am referring to the bill H. R. 20883.

Mr. GAINES of Tennessee. To what extent, say in your State or mine—because I want to help you to get at the evil if I can and get a remedy—are the owners of coal mines compelled to examine into and investigate the causes of these explosions and accidents?

Mr. WILSON of Pennsylvania. In each of the States where coal is produced a system of mine inspection is provided. In addition to that a system of ventilation is provided, and a certain minimum of air is required for each man engaged in a particular mine. That is provided by the laws as they exist now; but notwithstanding that provision we have these dreadful accidents where hundreds of men are destroyed in a second.

Mr. BRUMM. Will the gentleman allow me?

Mr. WILSON of Pennsylvania. Certainly.

Mr. BRUMM. Is it not true that in Pennsylvania the law requires examinations to be held of all bosses, superintendents, and overseers, and that they must have certificates pursuant to that examination before they are eligible to the various positions?

Mr. WILSON of Pennsylvania. That is true.

Mr. BRUMM. Now, having provided that by the State laws, is it not also true that the greatest difficulty is that these educated men, who have passed a thorough examination, have in almost every instance of large explosions or a great number of deaths, been unable to account for those accidents, and in many instances could not give any reason why those large explosions had occurred, showing a want of knowledge in the very line toward which this bill is directed?

Mr. WILSON of Pennsylvania. That is in a certain sense true.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. BRUMM. Mr. Chairman, I should like to have the gentleman get five or ten minutes more if it can be done. This is a very important subject.

The CHAIRMAN. The time is in control of the gentleman from New York [Mr. FITZGERALD].

Mr. WILLIAMS. Mr. Chairman, some time has been reserved for me later on. I will yield five minutes of my time to the gentleman, with the consent of the House. [Applause.]

Mr. SMITH of Iowa. That is agreeable to me, with the consent of the gentleman from New York [Mr. FITZGERALD].

Mr. FITZGERALD. I yield the gentleman five minutes more.

Mr. WILLIAMS. Let it be yielded out of my time.

Mr. WILSON of Pennsylvania. Mr. Chairman, it is true that in the State of Pennsylvania and a number of other States the law requires that men in charge of mines shall pass examinations showing that they are qualified to take charge of those

mines, but it is frequently the case that the courts hold that the employer, having employed a man certified by the State to be competent, is not responsible for any damage that may occur as the result of an accident, thus relieving the employer of all responsibility.

Mr. MADDEN. You have reference now to the mine inspectors, have you not?

Mr. WILSON of Pennsylvania. No; the mine foremen.

Mr. MADDEN. It is a fact, though, that in all States they have laws requiring competent mine inspectors, have they not?

Mr. WILSON of Pennsylvania. It is true that they have mine inspectors, and they require a minimum amount of air circulating through the mine, and they require other conditions; but the fact is that notwithstanding that inspection, and notwithstanding the requirements of the law at the present time, the death rate in the mines is continually increasing in the United States.

Mr. MADDEN. I would like to ask the gentleman one question more. Are these men employed as mining inspectors supposed to be familiar with the mine work?

Mr. WILSON of Pennsylvania. Yes; I do not know a State in the Union where the mining inspector is not required to be a practical miner, and in most instances required to pass an examination as to the practical work and the technique of mining.

Mr. MADDEN. Have they the right to order changes made?

Mr. WILSON of Pennsylvania. Yes; within certain limits. Now, Mr. Chairman, the great difficulty is that even those learned in mining and understanding the whole business, understanding the whole limitations and resources at their disposal, are not in a position to determine what are the causes of these explosions in many instances. In the Naomi mine, in Pennsylvania, it was not known what the cause of the explosion was. In the Darr mine, in Pennsylvania, the cause has never been discovered. Down in the Monongah mine, in West Virginia, it was not known what the cause of that explosion was. There has been a difference of opinion as to whether or not dust will ignite without a mixture of gas in it. There has been doubt as to whether the sprinkling of dry mines, required by some of our laws, increases or reduces the danger of explosion. There are differences of opinion as to whether a silent electric current on a wire introduced into a mine, that does not come into contact with anything that will create a spark, will ignite the gas in a mine. There are other things at the present time in doubt, and under this bill proposed here, if it is enacted into law, a bureau is established furnishing the necessary equipment to make an investigation, and then these things can be determined through tests and experiments, and information furnished to the various State governments so that they may construct their laws accordingly. [Applause.]

I desire to submit for your consideration the following tables showing the rate of fatalities occurring in the mines of the United States and other countries for a number of years:

Number of men killed in the coal mines of the United States, 1890-1906.			
1890	701	1900	1,493
1891	1,076	1901	1,594
1892	859	1902	1,828
1893	965	1903	1,794
1894	957	1904	1,999
1895	1,057	1905	2,097
1896	1,120	1906	2,061
1897	947		
1898	1,049	Total	22,840
1899	1,243		

Number of men killed in the coal mines of the United States for each 1,000 men employed.			
1895	2.67	1901	3.24
1896	2.79	1902	3.40
1897	2.34	1903	3.14
1898	2.59	1904	3.38
1899	2.98	1905	3.53
1900	3.24	1906	3.40

Number of lives lost in the coal mines of Belgium for each 1,000 men employed.			
1895	1.40	1901	1.16
1896	1.16	1902	1.07
1897	1.03	1903	1.14
1898	1.04	1904	.93
1899	.97	1905	.91
1900	1.05	1906	.94

Number of men killed in the coal mines of Great Britain for each 1,000 men employed.			
1891	1.50	1899	1.26
1892	1.49	1900	1.30
1893	1.55	1901	1.36
1894	1.60	1902	1.24
1895	1.49	1903	1.27
1896	1.48	1904	1.24
1897	1.34	1905	1.35
1898	1.28	1906	1.29

Number of men killed for each 1,000 men employed—averages for five years.

France (1901-1905)	0.91
Belgium (1902-1906)	1.00
Great Britain (1902-1906)	1.28
Prussia (1900-1904)	2.06
United States (1902-1906)	3.39

Number of men killed in the coal mines of Prussia for each 1,000 men employed.

1861-1866	2.66	1897	2.35
1867-1880	2.94	1898	2.86
1881-1890	2.93	1899	2.31
1891	2.89	1900	2.25
1892	2.21	1901	2.34
1893	2.62	1902	1.99
1894	2.21	1903	1.92
1895	2.54	1904	1.80
1896	2.58		

Number of lives lost in the coal mines of France for each 1,000 men employed.

1901	1.03	1904	0.89
1902	.95	1905	.84
1903	.86		

Miners killed for each 1,000 employed in different countries; averages for five-year periods.

France (1901-1905)	0.91
Belgium (1902-1906)	1.00
Great Britain (1902-1906)	1.28
Prussia (1900-1904)	2.06
United States (1902-1906)	3.39
Alabama (1902-1906)	4.91
Colorado (1902-1906)	6.67
Illinois (1902-1906)	2.82
Indian Territory (1902-1906)	5.83
Kansas (1902-1906)	3.08
Michigan (1902-1906)	2.76
New Mexico (1902-1906)	6.23
Pennsylvania (1902-1906)	3.29
Anthracite	3.18
Bituminous	7.31
Tennessee (1902-1906)	4.02
Utah (1902-1906)	5.44
Washington (1902-1906)	4.15
West Virginia (1902-1906)	

During these five past years, in the United States, nearly 10,000 coal miners have been killed. With the same degree of safety in American coal mines as has existed in France and Belgium 7,000 of these miners would have been saved.

During 1907 the number of men killed and injured in the coal mines was approximately 9,000, the number of killed reaching the enormous total of 3,500, or nearly 50 per cent, over the year 1906.

During January, February, and March, the first three months of the present year, there have been killed and injured in our mines some 1,500 miners, or 18 to 20 for each working day.

It will thus be seen that the loss of life from mine accidents in the United States is increasing, and it already is three and a half times greater per thousand men employed than in France or Belgium and nearly three times as great as in England, although our coal mines are neither as deep nor naturally as dangerous as the mines of those countries. In other coal-producing countries the percentage of accidents is being continually reduced, and it has been demonstrated that government investigations into the causes of accidents in the mines and enactment of legislation in accordance with the information thus obtained have materially reduced the number of these mine disasters.

In the United States, where the situation is more complex than it is in the other countries because of our dual form of government, investigations of this character, if undertaken by the various coal-producing States, would lead to needless and costly duplication, with uncertain and conflicting results. The Federal Government can make a more complete investigation into the causes of these terrible accidents than any one of the States can do.

The life cost of our coal supply is too great to pass by unheeded. The situation requires immediate action on the part of Congress. Many lives are being sacrificed through lack of sufficient information of the means required to prevent them. In December of last year about 800 miners were killed in four disasters in the mines. On January 1, this year, nine men were killed and five injured by an explosion of gas at Carthage, N. Mex. On January 30 nine miners were killed at Hawks Nest, W. Va., by an explosion. On February 11 ten miners were killed at Central City, Ky. On February 21 three men were killed and seven injured at Wilkes-Barre, Pa.

On March 28 seventy men were killed at Hannah, Wyo., by an explosion in a coal mine. Just the other day four men were killed and a number injured in an explosion of gas at Ellsworth City, Pa. A number of other serious accidents have taken place, bringing the death and accident rate of the present year to an average of about twenty per day. These acci-

dents are not due to lack of intelligence on the part of either the workmen or the managers, but to lack of necessary means to obtain information concerning the actual causes of the accidents and of the methods necessary to prevent them. A bureau of mines and mining, properly equipped, is absolutely necessary to make the experiments and tests that will furnish the desired information. The miners of our country are an intelligent and courageous class of men. They are engaged in the production of material that is the basis of our modern industrial and commercial activities. They are daily taking great risks in the hard and hazardous occupation which they follow. When accident has befallen any of their number, when the caving in of the roof, the flooding of the mine, or an explosion of coal dust or fire damp has cut off all means of escape, the innate courage of the miner asserts itself, and he will yield to no hardship, however great, nor shrink from any danger, however perilous, in his efforts to relieve his fellow-men.

Tell me in martial measures of the Charge of the Light Brigade; point with patriotic pride to the farmers who fought with the soldiers at Concord and Bunker Hill; repeat to me the story of the mighty conflict between the Blue and the Gray, when the "flower of American youth yielded up their last full measure of devotion" in defense of their respective flags, and my blood will thrill with patriotic enthusiasm and tingle through my veins in sympathetic response. Yet, with all my admiration for the heroes of the battlefield and their wonderful achievements in support of the rights of man, it does not equal my love, it can not measure my devotion to those sturdy sons of toil who, uninfluenced by the enthusiasm of numbers, without hope of present reward or future glory, deliberately enter the dark and dangerous caverns of the mines to carry relief to their suffering fellow-men or perish in the attempt. It is for the benefit of men of this character that I appeal to you to establish and equip a bureau of mines and mining. [Applause.]

The CHAIRMAN. The gentleman from Iowa [Mr. SMITH] has thirty minutes remaining and the gentleman from New York [Mr. FITZGERALD] thirty minutes remaining.

Mr. SMITH of Iowa. Mr. Chairman, I now yield fifteen minutes to the gentleman from New Jersey [Mr. FOWLER].

Mr. FOWLER. Mr. Chairman, on June 26, 1902, I used this language in this Chamber:

Shall we in the very heyday of prosperity prepare for our unnecessary and ever-recurring shocks, panics, crises, and commercial horrors?

On the 17th day of October, 1906, at St. Louis, I addressed the American Bankers' Association and said to them that unless something was done at the next session of Congress every banker there would wish something had been done.

In March, 1907, in this House, I called the attention of the House and the country to the conditions and predicted precisely what would happen. I was then speaking with regard to the now so-called "McKinney bill," which was the product of the American bankers' commission and was the result of my visit to St. Louis in October. That bill was a good bill. It was made for the express purpose of what was certain to happen in the fall of 1907. The panic came. Congress convened. On the 3d day of December the Speaker of this House appointed the Committee on Banking and Currency. On the 4th day of December, the very next day, the Banking and Currency Committee was called together by its chairman, and at the request of the chairman the names of the members were called, and the minutes show that the chairman then requested the clerk to call the names of those members present and that they respond informally and express their views as to the currency legislation necessary.

A committee was then appointed by the Banking and Currency Committee for the express purpose of drawing a bill. They proceeded to do so, and on January 8 the committee introduced a bill into this House. Immediately the committee advertised for general hearings, opening its room to anyone who might come to offer suggestions. Having closed the general hearings they proceeded to have special hearings upon the bill prepared by the committee. We sent for the leading bankers and economists of the United States and they came before us. Lyman J. Gage and others came before us, and what was the result? On February 29 the committee reported a bill, a financial and currency measure, and filed the report of the committee which I hold in my hand, consisting of 154 pages.

All of the economists, so far as I know, in the United States, all of the banking and economic journals in the United States, so far as I know, are now supporting this measure. Mr. Horace White, Mr. Gage, and Mr. Carnegie have written letters of approval among others.

[Reprinted from the Journal of Commerce and Commercial Bulletin of March 12.]

Andrew Carnegie, Ex-Secretary Gage, and Horace White on currency.

The three following letters, from Andrew Carnegie, Hon. Lyman J. Gage, and Horace White should be read and reread before voting upon any financial measure:

ALDRICH BILL A MAKESHIFT—ANDREW CARNEGIE WARMLY COMMENDS THE FOWLER MEASURE.

DEAR MR. FOWLER: You have started on the right line and your proposed bill is the result. There is only one right path—we must base our currency upon gold. Your proposed "redemption cities" is just following our Canadian friends. Their system has worked well. There is no reason why our own should not. Sooner or later we must follow other civilized nations and place our banking system upon the same lines—the sooner the better.

There is a great contrast between the House and Senate at the present juncture. The Aldrich bill is a mere makeshift. It can not be needed for many years to come. Panics have to grow. And when it is needed it compels the banks to use their much-needed funds to purchase bonds before they can get the increased circulation required.

The bill before the House, on the contrary, will accomplish a result imperatively needed and place our banking system on a par with the banking systems of other nations.

ANDREW CARNEGIE.

FORMER SECRETARY GAGE INDORSES FOWLER BILL—TIME MOST FAVORABLE FOR SECURING PUBLIC ATTENTION—MR. GAGE DECLARES THE MEASURE AT ONCE REMOVES THE WEAKNESS IN OUR GOVERNMENT FINANCES AND BRINGS THE BANKING BUSINESS IN TOUCH WITH KINDRED INTERESTS.

Lyman J. Gage, ex-Secretary of the Treasury, in the following letter to Representative FOWLER, unequivocally indorses the latter's currency bill. Mr. Gage summarizes some of the practical benefits that the measure is calculated to secure, if cooperated in by the banks of the country. The letter in full follows:

HON. CHARLES N. FOWLER,
House of Representatives, Washington, D. C.

DEAR SIR: I want to congratulate you upon the report of your bill to the House by so strong a vote in the committee. Your labors are, however, I fear, but just begun. It is probable, on the other hand, that this period of time is, in all respects, most favorable to secure attention to the comprehensive measures which your bill includes. The usual inertia of the public mind on the supposed recondite subjects of finances, banking, and currency is broken. Every intelligent man is now disposed to "sit up" and think, and there is a consensus of opinion that "something ought to be done," and that that something should be fundamentally curative of the evils experienced and so well established on sound principles as to give effective guaranties that we shall not be exposed to similar ills in the future.

As I expect to return at once to my home in California, I shall be quite "out of the running," and I see no practical way in which I can aid, as I would be glad to do, the great public work you have undertaken.

The more I study the bill reported by the House Committee the more comprehensive and complete it seems to be. It at once removes the weakness in our Government finances and brings the banking business into safe and natural relations toward those interests which it is the primary purpose of the bank to promote and serve. These interests are production, manufacturing, and exchange.

I just mentioned the weakness in our Government finances. We are so accustomed to the situation that we are unconscious of it. This would come to our attention, however, with painful emphasis were we, under present conditions, to face a war involving perhaps an expenditure by our nation of a thousand millions a year—that is, three millions a day—a modest estimate, as the thoughtful must admit.

In my statement before the House I enumerated these weaknesses as, first, the present demand obligations outstanding against the Treasury under the name of legal tender notes—\$346,000,000; second, the Government guaranty on \$700,000,000 of bank notes.

To be sure, the Treasury holds as security for this undertaking a similar amount of its own bonds, but everyone knows that by this artificial contrivance the bonds so held are overvalued when put to the test in a free market by 20 or 25 per cent. The issue of millions of new bonds to meet the costs of war would strip the mask which now conceals the fact, and expose the weakness at the moment when greatest strength would be required. Thus nature revenges herself on the unwise and the imprudent.

The bill in question ought, then, to commend itself to the public mind in this: It provides a way, without cost to the people, which will in a comparatively short period of time discharge the liability of the \$346,000,000 first noted, and convert every "greenback" into a gold certificate, behind which will be a good gold coin, dollar for dollar. Is not this a consummation to be wished? Does it not replace weakness by strength?

Scarcely less important, it eliminates entirely the unnatural guaranty of the Government to the bank notes and wipes out that liability, whatever may be the measure of responsibility therein involved. Further, by impounding, as it will if it have full operation, nearly the present sum total of the public debt into a fund provided by the banks, which shall effectively serve as a guaranty for bank creditors, whether as depositors or note holders, it substantially removes the present bonded debt from any competition with the new Government issue, if made necessary in the contingency of war.

Lastly, looked at from the Government side, it reduces to a minimum the burden of maintaining at a parity with gold \$600,000,000 of silver, the commercial value of which in the world's markets is less than \$300,000,000. It accomplishes this by giving full priority in the field where money circulates from hand to hand to silver certificates through denominations so small that they can not be released from active use.

All those things the bill, if it becomes a law and is cooperated in by the banks of the country, will secure.

Will it be cooperated in by the banks, and so made uniform and effective? That such cooperation is to the banks an advantage I am certain, but being an ex-banker myself I anticipate you will hear many

objections from some who will conceive that the "guaranty fund" for deposits will be inimical to their present prestige and future superiority as compared to their neighbors or rivals. They will not go so far as to argue that the public should continuously endure afflicting losses from weak and unworthy methods of banking in order that their superior methods may gain prestige and profit, but they will argue against the theoretical equality which, it seems to them, the guaranty fund tends to establish. To these objections you and those who aid you in argument for the bill will have to point out that in the health and prosperity of all the real and lasting welfare of each is concerned. You will have to show that under the new régime character, capital, and ability will win as elsewhere they do win their appropriate reward. Fortunately, too, you can show that what the bill proposes in that direction is directly in the line of evolution, for it is to be observed that certain large cities are voluntarily adopting the principle of neutrality for which the bill contends.

The city of Chicago furnishes at the moment a striking and wise example. Surprised some time since that one of their banks—the Chicago National—with liabilities aggregating some \$27,000,000, was in an insolvent condition, the clearing-house banks at a known large hazard to themselves took over the assets of the Chicago National bodily, assumed and paid offhand its liabilities. Not again to be surprised in similar fashion they agreed by common consent among themselves to have an agency of their own quite outside of the Government's official agency to keep close inspection and tab upon the methods, doings, and financial practices of each and every member of their organization and upon any other bank or banker in the city, for whom one of their number shall act as a clearing-house agency with power substantially to close the doors to any member by suspending that member from the clearing house. The power of control in the Clearing House Association is thus complete and absolute.

To be sure they have not entered into legal obligation for losses to the public through a weak or failing member, but with the power of examination and control thus assumed goes the duty to guardianship and protection. If they fail to administer and allow failure, always the results of vicious methods to occur in a fellow-member, can they escape without dishonor the moral obligation to protect the public from the results of their laxity or neglect? Their action in the case of the Chicago National establishes a precedent. It is to be remembered that it was established when they did not possess the present power of intimate knowledge and control. This gives a good warrant for the belief that now, under the conditions above indicated, they can and will not depart from the method which precedent goes to establish. I am informed that both Kansas City and St. Louis are taking steps in harmony with those taken in Chicago. It will be to their advantage to do so since the public will not be slow to give preference to those cities which adopt the conservative method described.

What is thus or may be accomplished by voluntary action here and there in clearing-house cities the bill in question makes effective over the country through the twenty redemption districts proposed.

I have written too much already, but as this is probably my last word on the subject you will make due allowance if I have been guilty of verbosity. With good wishes, I remain,

Yours, very truly,

LYMAN J. GAGE.

HORACE WHITE ON CURRENCY—WRITES HIS INDORSEMENT OF THE FOWLER BILL.

Congressman FOWLER has received the following strong indorsement of his currency bill from Mr. Horace White, former editor of the Evening Post:

NEW YORK, March 10, 1908.

MY DEAR MR. FOWLER: Yours of the 9th instant is received. When this session of Congress began I considered it unwise to attempt to amend our currency system by a single comprehensive measure. I did not then think that the public mind was ripe for it, although the discussion has been going on, in a limited circle, for nearly fifteen years. So, for the sake of brevity, I preferred the bill proposed by the American Bankers' Association, except that I did not favor a special tax on a particular part of the circulation.

If, however, the people are prepared, as they seem to be, to take into consideration a root-and-branch measure of reform like that of House bill No. 12677, I shall contribute such aid to its passage as I can.

It is a great merit that the bill reaffirms the principle that gold, not Government debt, is the true basis of a proper currency. It proposes to take away all soft-money cushions and false props of our monetary system, which might fail us in a time of trouble.

When the civil war came on, a large part of our currency, based upon State bonds, fell to a discount ranging from 10 to 50 per cent. Before the war ended our Government bonds and greenbacks fell to a still lower price, and the greenbacks remained below par for more than sixteen years.

Why should we continue to expose ourselves to such chances, even though the risk of war or internal convulsion now seems to be slight? If it is worth while to build a great navy in anticipation of conflict with foreign powers, is it not the part of prudence to put our Government finances and currency on a sure foundation, especially when it can be done without expense?

The plan proposed in your bill is feasible and will accomplish the end sought without any disturbance or contraction whatever. Moreover, the gold needed is within easy reach.

The next most important feature of the bill is that which provides for central redemption agencies, and a supervision of the banks by each other. Most bank failures are caused by speculation with the funds of the bank by improvident loans to the officers and their friends and favorites, in violation of law. Put a stop to such loans and you practically insure the depositors, note holders, and shareholders against loss.

I hear that the banks of Chicago, St. Louis, and Kansas City are taking steps voluntarily for such mutual examination and supervision. This is a wise extension of the powers of the clearing-house associations. Far better is frequent examination by one's neighbors and rivals in business than a diagnosis by the Comptroller after disease has set in.

With this practice established by law the mutual insurance of both deposits and circulation by means of a common guaranty fund deposited in the Treasury will be a very simple matter. Such coinurance can not be considered either paternalism or socialism. The Government does nothing but hold the money contributed by the banks themselves, and pays it to those entitled to receive it.

The small banks are not put on an equality with the large ones as regards capital or earning capacity, but their liability to failure is minimized, and this is an advantage to the whole banking fraternity and to society in general.

To avoid ambiguity, it would be well to add to the seventeenth section of the bill a proviso that the Government shall not incur any liability in respect to the guaranty fund, except for its safe-keeping and disbursement according to law.

It is the A B C of banking science that circulation, notes, and deposits are alike potential demands on the bank's cash reserve, and that the banker can not determine which of the two forms his liabilities shall assume, and that it is a matter of indifference to him which form they do assume.

It is most desirable, however, to the community which he serves that his customers shall have the privilege of exercising their right to draw upon the bank in the form which they prefer. A considerable argument might be written on this text, but I forbear.

I concur in general with the report of the Merchants' Association of New York in favor of your bill dated February 21, 1908, and I remain,

Your sincere friend and wellwisher,

HORACE WHITE.

Not only that, but all over this country, from one end of it to the other, the commercial bodies, the boards of trade, the clearing houses, have sent letters of approval, and thousands upon thousands of people have been heard upon the same subject. This morning only I met a United States Senator on my way here and was discussing the financial and currency situation. He said, "We ought to do nothing except appoint a commission at this session. I have not received one single letter in support of the Aldrich bill, but I have received hundreds in favor of yours." There are no protests, so far as I know, throughout the length and breadth of this land to the measure which the Banking and Currency Committee reported to this House, with two single exceptions, as I recall them. Then what happened? We waited, and on March 30 there was reported to the House the Aldrich bill.

Immediately we advertised for a hearing, and sent out a thousand communications to all the clearing houses, to all the boards of trade, as far as we could get a list that would be of value. From all cities of the United States, beginning with Los Angeles and San Francisco, Takoma and Seattle, on the west; all the cities lying in between—Chicago, St. Paul, St. Louis, New Orleans—and all the cities of the Atlantic coast—Boston, New York, Philadelphia, Baltimore, and Richmond—we heard the people, either in person or by communication. What was the result? There came no approval of the Aldrich bill from anybody outside of two single individuals, to whom I shall allude in a moment. I shall insert here a list of the names of the bodies that were represented and of the gentlemen who appeared before our committee:

List of the gentlemen who appeared before the Committee on Banking and Currency in opposition to the Aldrich bill, together with the institutions and people they represented:

Mr. E. Southard Parker, president of the Metropolitan National Bank, of Washington, D. C.

Mr. Emory W. Clark, of Detroit, Mich., representing the Detroit Clearing-House Association.

Mr. Frank D. La Lanne, Philadelphia, Pa., representing 1,000 wholesale and retail merchants.

Mr. Victor Morawetz, chairman of the executive board of the Atchafalaya, Topeka and Santa Fe Railroad Company and financial economist and leading member of the New York bar.

Mr. Horace White, ex-editor of the New York Evening Post and the Chicago Tribune and one of the leading financial economists and authors of to-day.

Mr. S. A. Harris, of Minneapolis, Minn., one of a delegation representing the business interests of Minneapolis and St. Paul.

Mr. J. N. Jackson, of St. Paul, Minn., representing the St. Paul Jobbers and Manufacturers' Association.

Mr. G. H. Partridge, of Minneapolis, Minn., representing the jobbers and manufacturers of Minneapolis, Minn.

Mr. D. S. Colver, cashier of the German-American National Bank, of St. Paul, Minn.

Mr. George C. Powers, president of the Second National Bank, St. Paul, Minn.

Mr. F. M. Prince, representing the First National Bank of Minneapolis, Minn.

Mr. Elmer H. Youngman, editor of the American Bankers' Magazine, of New York City.

Mr. Edmund D. Fisher, chairman of the legislative committee of the New York State Bankers' Association, of Brooklyn, N. Y.

Mr. William E. Attwood, president of the Connecticut Bankers' Association, New Britain, Conn.

Mr. H. W. Stevens, president Hartford National Bank, Hartford, Conn., and one of the committee representing the Connecticut State Bankers' Association.

Mr. A. J. Sloper, president New Britain National Bank, New Britain, Conn., and one of the committee representing the Connecticut State Bankers' Association.

Mr. Oscar Finley, president National Bank of Kentucky and representing the Louisville Clearing-House Association, an association of fourteen banks.

Mr. Logan C. Murray, representing the clearing house of the city of Louisville, Ky.

Members of the American Banking Association:

Mr. J. D. Powers, president American Bankers' Association and president of the Third National Bank of Louisville, Ky.

Mr. James B. Forgan, of Chicago, Ill.

Mr. A. B. Hepburn, president Chase National Bank, New York City.

Mr. John L. Hamilton, of Hamilton & Cunningham, Hoopeston, Ill.
 Mr. E. F. Swinney, president First National Bank of Kansas City.
 Mr. Sol. Wexler, vice-president Whitney Central National Bank, New Orleans.
 Mr. Joseph T. Talbert, vice-president the Commercial National Bank and president of the Chicago Clearing-House Association, Chicago, Ill.
 Mr. Joseph A. McCord, vice-president Third National Bank, Atlanta, Ga., and vice-president of the Georgia Savings Bank and Trust Company.
 Mr. W. V. Cox, president the Second National Bank, Washington, D. C.
 Mr. Arthur Reynolds, president the Des Moines National Bank, Des Moines, Iowa.
 Mr. Robert Wardrop, president the People's National Bank, Pittsburg.
 Mr. F. J. Wade, president Mercantile Trust Company, St. Louis, Mo.
 Mr. John Perry, president of the American National Bank, Indianapolis, Ind.
 Mr. Edward D. Page, representing the Merchants' Association of New York, who submitted the following list of mercantile organizations who have condemned the Aldrich bill:
 "National Association of Credit Men, with branches in Chicago, New York, St. Louis, Cincinnati, Milwaukee, Detroit, Baltimore, Philadelphia, Boston, and 57 other leading cities.
 "National Association of Clothiers and its branches in New York, Boston, Philadelphia, Baltimore, Rochester, Buffalo, Cincinnati, St. Louis, Milwaukee, and Chicago.
 "Chicago Association of Commerce, Chicago, Ill.
 "National League of Commission Merchants of the United States.
 "Board of Trade, St. Paul, Minn.
 "Indianapolis Board of Trade, Indianapolis, Ind.
 "Trades' League of Philadelphia, Philadelphia, Pa.
 "Boston Chamber of Commerce, Boston, Mass.
 "Chamber of Commerce, Richmond, Va.
 "Portland Board of Trade, Portland, Oreg.
 "Red Wing Merchants' Association, Red Wing, Minn.
 "Dallas Commercial Club, Dallas, Tex.
 "Danbury Business Men's Association, Danbury, Conn.
 "South Side Business and Improvement Association, Columbus, Ohio.
 "Henderson Commercial Club, Henderson, Ky.
 "Battle Creek Industrial Association, Battle Creek, Mich.
 "The Board of Trade and Transportation of New York.
 "Erie Chamber of Commerce, Erie, Pa.
 "Evansville Business Association, Evansville, Ind.
 "Hartford Board of Trade, Hartford, Conn.
 "Haverhill Board of Trade, Haverhill, Mass.
 "Manufacturers' Association, York, Pa.
 "Stationers' Board of Trade, New York City.
 "Ozone Park Board of Trade, Ozone Park, N. Y.
 "Travelers and Merchants' Association, Baltimore, Md.
 "Wallabout Market Merchants' Association, Brooklyn, N. Y.
 "Auburn Business Men's Association, Auburn, N. Y.
 "Merchants and Manufacturers' Association, Baltimore, Md.
 "Grand Street Board of Trade, Brooklyn, N. Y.
 "Chamber of Commerce (currency commission), Cleveland, Ohio.
 "Council Bluffs Commercial Club, Council Bluffs, Iowa.
 "Dallas Commercial Club, Dallas, Tex.
 "Fort Worth Board of Trade, Fort Worth, Tex.
 "Board of Trade, Little Rock, Ark.
 "Louisville Commercial Club, Louisville, Ky.
 "Retail Grocers and Merchants' Association, Nashville, Tenn.
 "Oklahoma City Chamber of Commerce, Oklahoma.
 "The Richmond Chamber of Commerce, Richmond, Va.
 "Rochester Chamber of Commerce, Rochester, N. Y.
 "The Merchants' Exchange, San Francisco, Cal.
 "Chamber of Commerce, Santa Barbara, Cal.
 "Chamber of Commerce, Seattle, Wash.
 "The Business League of St. Paul, St. Paul.
 "Board of Trade and Business Men's Association, Norfolk."
 Mr. Eugene Levering, president National Bank of Commerce, of Baltimore, Md., representing the Baltimore Clearing House Association.
 Mr. James Clark, president of the Drovers' and Mechanics' National Bank, of Baltimore, and representing the clearing house.
 Mr. Alexander Gilbert, president of the New York Clearing House, New York City.
 Mr. John M. Miller, Jr., vice-president First National Bank of Richmond, Va., and representing the Chamber of Commerce of Richmond.
 Mr. Joseph Moore, president National Bank of the Northern Liberties, of Philadelphia, Pa., and representing the Philadelphia Clearing House Association.
 Mr. Finley Acker, chairman of the banking and currency committee of the Trades' League of Philadelphia, Pa., an organization composed of over 2,000 commercial, manufacturing, and financial firms.
 Mr. Fred W. Upham, president of the Illinois Manufacturers' Association, of Chicago, Ill., representing more than 6,000 manufacturers of the State of Illinois.
 Mr. Levy Mayer, attorney for the Illinois Manufacturing Association, of Chicago, Ill. The following gentlemen also were present at the hearing: Fred W. Upham, president, Upham & Agler, Chicago; W. B. Conkey, W. B. Conkey Company, Chicago; C. H. Smith, Western Wheeled Scraper Company, Aurora, Ill.; U. G. Orendorff, Parlin & Orendorff, Canton, Ill.; F. G. Allen, Moline Plow Company, Moline, Ill.; W. B. Brinton, Grand Detour Plow Company, Dixon, Ill.; John C. Spry, Southern Oak Lumber Company, Chicago; John T. Stockton, Joseph Stockton Company, Chicago; C. F. Wiehe, Edward Hines Lumber Company, Chicago; Charles Piez, Link-Belt Machinery Company, Chicago; John M. Glenn, secretary, Chicago. The names of the members of that board are synonymous with the great manufacturing interests of Illinois. The figures of the business they speak for are appalling: they represent nearly \$2,000,000,000 annual output.
 Mr. Charles B. Hamlin, corporation counsel of the Boston Chamber of Commerce, ex-Assistant Secretary of the Treasury.
 Mr. Francis B. Sears, vice-president National Shawmut Bank, of Boston, representing the Boston Chamber of Commerce and the Boston Merchants' Association.
 Mr. Alfred O. Crozier, of Wilmington, Del.
 Gentlemen who appeared in favor of the Aldrich bill.
 Mr. Charles G. Glover, president of the Riggs National Bank, Washington, D. C.
 Mr. Charles G. Dawes, president Central Trust Company, Chicago, Ill., and ex-Comptroller of the Currency.
 Mr. J. Howard Cowperthwaite, of New York City.

As I stated, two gentlemen appeared in defense of the Aldrich bill. One was Mr. Glover, of this city, and after reading a statement which had appeared in the New York Herald, which I suppose was his statement, he added that he was in favor of issuing a thousand million demand obligations, and when he was pressed for an explanation of how the Government was to meet this frightful demand of a thousand million demand obligations, added to the thousand six hundred million already resting on the Treasury, what did he say? He said, "I do not want to discuss that question," and he plead guilty to having no information as to how it was to be done. The other gentleman who appeared to advocate the Aldrich bill was Mr. Charles G. Dawes, of Chicago, and after making us a long speech and he was brought down to the practical question involved, finally admitted that the Government would have to sell bonds to redeem these notes, and then when pressed to the last extremity asserted that he was in favor of making the national bank notes a legal reserve, and also the additional five hundred millions that he favored issuing.

Those were the two defenders of this bill. Of all these people these associations and men that came before us representing the chambers of commerce and the boards of trade and the economists, including Mr. Horace White, Mr. Youngman, and several other leading economists, all of them asserted that the thing for us to do was to pass no legislation at this session, but to pass a broad commission bill. Following that course, on April 30 your committee reported a broad commission bill. What are the precedents for this broad commission bill? I will include in my remarks, for I will not have time now to go over it, the constitution of the commissions for the last seventy years, and prospectively one now for the review of the financial situation in Germany.

It has been the practice abroad, when an important subject of this sort had to be dealt with, affecting in one way or another nearly every member of the community, to create a commission containing representatives of these different elements as well as experts and members of the legislative body. The select committee on banks of issue, whose work was the basis of the law now governing the Bank of England, consisted of twenty-six members, among whom were Sir Robert Peel, who gave his name to the law; George Grote, the well-known banker and historian of Greece, and Sir Thomas Freemantle. The commission on the depression of trade and industry in 1886 contained twenty-three members, of whom only about one-half were members of Parliament. The royal commission on labor in 1892 contained twenty-seven members, among whom were Prof. Alfred Marshall, now the first living English economist, and Samuel Pilsbry. The gold and silver commission in 1888 contained only thirteen members, but they were nearly all experts, representing the interests of British India as well as of the London financial community.

Turning to other countries, the French commission to study the monetary standard, appointed July 22, 1893, contained only seventeen persons, but in this, as in other cases where a parliamentary government exists, it is not necessary to include so many members of the Chamber in order to secure the passage of what may be made a Government measure. Among more recent commissions the full representation of different interests has been more marked than in earlier years. Thus the inquiry which became the basis of the monetary reform in Austria in 1892 was made through a commission of thirty-six persons for Austria and twenty-one for Hungary, making a total of fifty-seven for the dual monarchy. The Japanese commission, appointed by imperial ordinance on October 11, 1893, consisted of twenty-two members, appointed, according to the ordinance, from administrative officers of the higher class, the professors of the Imperial University, the members of the Imperial Diet, and the men noted for their experience and learning in monetary matters. They appointed a subcommittee, which reported in July, 1896, to the minister of finance. The Berlin silver commission, which made one of the most valuable reports on monetary conditions in Germany, consisted of thirty-one members, of whom twelve were officials and nineteen private citizens. The Mexican monetary commission which adopted the gold standard in 1904 was also a large commission representing practically all important interests in the Republic. I have not the exact number, but it is my impression that the full commission contained as many as fifty or sixty persons. It was considered essential there, as in Austria-Hungary and Japan, that all interests which had been affected by the rise and fall of prices and chances in the rate of interest should be represented.

The work done in all these cases was very thorough, and the results, I think, are generally indorsed by experts and have proven of untold benefit to the countries where the new systems have been put in operation.

MONETARY INQUIRY IN GERMANY.

The recent pressure in the money market has led to an inquiry by the German Government on a scale somewhat similar to that proposed by the House Committee on Banking in this country by means of a large commission. The Government, having been interrogated in the Reichstag as to the reasons for the recent high rates of discount, the secretary of the state for the interior has announced an inquiry through an expert special commission. In order to make up such a commission of competent members, the governments of the several federated German States have been invited by the chancellor of the Empire to indicate to him those persons whom they consider qualified for such an inquiry and whose aid will be of value. The experts in question have been chosen from banking circles, as well as from industry, commerce, and agriculture. In addi-

tion to the appeal to the States, the Imperial Government has addressed itself directly to the Central Union of Banks and Bankers, to the Permanent Bureau of Commercial Congresses, to the Central Union of German Manufacturers, and to other allied industrial associations, and also to the Federation of German Agriculture, asking them in each case to indicate persons qualified to act as experts in the inquiry.

Our commission bill provides for eleven Members of the House, appointed by the Speaker, eleven members of the Senate, making twenty-two, retaining the legislative authority. What else? In accordance with the commissions that have been appointed for the last fifty years—yes, last one hundred years—throughout the world on such questions as this, we have included a large body of banking economists—six of them. Is there anyone in this House who would vote against such a proposition as that? Is there any Member from the Pacific coast who is going to oppose the appointment on this commission of a banker on the Pacific coast, of a farmer on the Pacific coast, of a representative of labor on the Pacific coast, of a representative of the merchants on the Pacific coast, and a representative of the manufacturers on the Pacific coast? Is there

any Member of the great Mississippi Valley who is going to vote against having on this commission a banker from that region, a representative of the farmer, a representative of labor, and of the merchants and of the manufacturers in the Mississippi Valley?

Is there any Member that represents the Atlantic coast region who is going to vote against having a representative of the banking interests of the East, of having a farmer representative, or a representative of labor and a representative of manufacturers and of merchants of this great Atlantic coast? You will find, if you will read my remarks when they appear in the RECORD, that I will confirm with almost every commission that has been appointed on like subjects the wisdom of the appointment of such a commission.

Now, I want to call attention to the words in Saturday's RECORD of the senior Senator from Rhode Island, the leading authority of that body upon Government resources, and this is the all-important question for this House to consider:

But a change has taken place. The revenues of the country are falling off. The deficiency in the month of April will be more than \$11,000,000. The deficiency for the present fiscal year will be at least

Receipts and expenditures of the Government.

[Recapitulation of revenue by fiscal years.]

Year.	Customs.	Internal revenue.	Miscellaneous sources.			Total revenue, exclusive of postal.	Surplus revenue.
			Direct tax.	Sales of public lands.	Other miscellaneous items.		
1856	\$64,022,863.50			\$8,917,644.93	\$1,116,190.81	\$74,056,699.24	\$4,871,046.35
1857	63,875,905.05			3,829,486.64	1,259,920.88	68,965,312.57	1,533,177.30
1858	41,789,629.96			3,513,715.87	1,352,029.13	46,655,365.96	26,955,461.35
1859	49,565,824.38			1,756,087.30	1,454,596.24	52,777,107.92	16,293,868.82
1860	53,187,511.87			1,778,557.71	1,088,530.25	56,054,599.83	7,075,998.56
1861	39,582,125.64			870,658.54	1,023,515.31	41,476,299.49	25,070,345.40
1862	49,056,397.62		\$1,795,331.73	152,206.77	915,122.31	51,919,055.43	422,842,763.48
1863	69,059,642.40	\$37,640,787.95	1,485,103.61	167,617.17	3,741,794.38	112,094,945.51	602,543,779.66
1864	102,316,152.69	109,741,134.10	475,648.96	588,333.29	30,331,401.25	243,452,670.59	621,869,971.38
1865	84,928,260.60	209,464,215.25	1,200,573.03	996,553.31	25,441,556.00	322,031,158.19	973,806,106.11
1866	179,046,651.58	309,226,812.42	1,974,754.12	665,031.03	29,036,314.23	519,949,564.38	801,376.09
1867	176,417,810.88	266,027,537.43	4,200,233.70	1,163,575.76	15,037,522.15	462,846,679.92	116,117,354.14
1868	164,464,599.56	191,087,589.41	1,788,145.85	1,318,715.41	17,445,403.59	376,434,453.82	6,095,320.00
1869	180,048,426.63	158,356,490.86	765,685.61	4,030,344.34	12,997,338.65	357,188,256.09	35,997,658.34
1870	194,538,374.44	184,899,756.49	229,102.88	3,350,481.76	12,942,118.30	395,959,833.87	102,302,828.72
1871	206,270,408.05	143,098,153.63	580,355.37	2,388,646.68	22,098,541.21	374,431,104.94	91,270,711.43
1872	216,370,286.77	130,642,177.72		2,575,714.19	15,106,051.23	364,694,229.91	94,134,534.00
1873	188,089,522.70	113,729,314.14	315,254.51	2,882,312.38	17,161,270.05	322,177,673.78	36,985,348.44
1874	168,103,833.69	102,409,784.90		1,852,428.93	17,075,042.78	284,441,000.25	1,297,709.37
1875	157,167,722.35	110,007,493.58		1,413,640.17	15,431,915.31	234,020,771.41	9,397,378.57
1876	148,071,984.61	116,700,732.03	93,798.90	1,129,486.95	17,456,776.19	238,452,758.58	24,062,961.25
1877	130,956,493.07	118,630,407.83		976,253.68	18,031,655.46	238,594,810.04	29,934,801.11
1878	130,170,683.20	110,581,624.74		1,079,743.37	15,614,728.09	237,443,776.40	29,432,449.60
1879	137,250,047.70	113,561,610.58		924,781.06	20,583,697.49	272,322,136.83	5,374,253.30
1880	183,522,064.60	124,009,373.92	30.85	1,016,503.60	21,978,525.01	333,526,500.98	68,673,833.62
1881	198,159,676.02	135,264,385.51	1,516.89	2,201,833.17	25,154,830.98	390,782,292.57	101,180,633.76
1882	220,410,730.25	146,497,595.45	160,141.69	4,753,140.37	31,703,642.62	403,525,250.28	145,543,810.71
1883	214,705,496.98	144,720,388.98	108,156.60	7,955,834.42	30,706,695.02	398,287,581.93	132,379,444.41
1884	195,037,489.76	121,586,072.51	70,720.75	9,810,705.01	21,934,881.89	348,519,839.92	104,303,625.59
1885	181,471,939.34	112,498,725.54		5,705,983.44	24,014,055.06	323,690,703.28	63,463,771.27
1886	192,905,023.44	116,805,096.48	108,239.94	5,630,999.34	20,989,527.83	336,439,727.03	93,954,585.53
1887	217,286,893.13	118,823,391.22	32,892.05	9,254,286.42	26,005,814.84	371,403,277.66	103,471,007.69
1888	219,091,173.63	124,296,571.98	1,565.82	11,202,017.23	24,674,446.10	379,236,074.76	119,612,116.09
1889	223,832,741.69	130,681,513.92		8,038,651.79	21,207,151.44	387,050,053.84	105,053,443.24
1890	229,668,584.57	142,606,705.81		6,358,272.51	24,447,419.74	403,080,982.63	105,344,406.03
1891	219,522,295.23	145,086,249.44		4,029,535.41	22,374,457.23	392,612,447.31	37,239,762.57
1892	177,452,964.15	153,971,072.57		3,231,875.58	20,251,871.94	354,937,784.24	9,914,453.63
1893	203,355,016.73	161,027,623.93		3,182,089.78	18,254,898.34	335,819,628.78	2,341,674.29
1894	131,818,530.62	147,111,232.81		1,673,637.30	17,118,618.52	297,722,019.25	69,803,260.53
1895	152,158,617.45	143,421,672.02		1,103,347.16	16,706,483.48	313,390,075.11	42,805,223.18
1896	160,021,751.67	143,762,864.74		1,005,523.43	10,186,090.54	326,976,200.38	25,203,215.70
1897	176,554,123.65	146,683,574.29		854,581.41	23,614,422.81	347,721,705.16	18,052,454.41
1898	149,575,032.35	170,900,641.49		1,243,129.42	83,602,501.94	405,321,335.20	38,017,247.60
1899	206,128,481.75	273,437,161.51		1,678,246.81	34,716,780.11	515,990,620.18	89,111,559.67
1900	233,164,871.16	295,327,926.76		2,836,882.98	35,911,170.09	567,240,851.89	79,527,090.13
1901	238,585,455.99	307,180,633.77		2,935,119.65	38,954,098.12	567,685,337.53	77,717,984.38
1902	254,444,708.19	271,880,122.10		4,144,122.78	32,009,280.14	562,478,233.21	91,287,875.57
1903	281,479,581.81	230,810,124.17		8,926,311.22	36,180,657.20	560,306,674.40	54,297,667.36
1904	261,274,564.81	232,904,119.45		7,453,479.72	38,999,585.42	540,631,749.40	41,770,571.91
1905	261,798,856.91	234,095,740.85		4,850,249.80	43,520,837.20	544,274,684.85	23,004,228.60
1906	300,251,877.77	249,150,212.91		4,879,833.65	40,172,107.34	594,454,121.67	25,699,322.61
1907	332,233,362.70	269,666,772.85		7,878,811.13	53,361,387.37	663,149,334.05	81,225,583.30
1908 ^a							60,000,000.00
1909 ^b							180,000,000.00

^a Approximate.

^b Estimated by senior Senator from Rhode Island.

\$60,000,000. What is the duty of Congress in this emergency? The appropriation bills now in this Chamber or in the other provide for an increase of appropriations over those made last year of a hundred and four million dollars; and the end is not yet. There is a public buildings bill, which will probably pass, which may add \$20,000,000 to that, making an increase of appropriations in this fiscal year over the last of a hundred and twenty-four million dollars, and this with a deficiency in revenue this year of \$60,000,000.

In other words, \$60,000,000 deficit this year and \$180,000,000 of a deficit next year. I will include in my remarks a tabulated statement showing from 1856 the surplus revenues and deficits, and you will find that since 1890, including these two years, there have been ten years in which there was a deficit and ten years in which there was a surplus.

On the 27th day of April, 1907—mark this, gentlemen—on the 27th day of April, 1907, the free gold in the Treasury was \$145,997,000, and to-day there are fifteen millions of gold bullion and coin and twenty-four millions of gold certificates, a difference of about \$100,000,000 altogether. They have already suspended gold payments; and if one of you gentlemen desire to go down stairs and draw your salary, you will probably find they will give you silver certificates or United States notes. I shall include in my remarks at this point an estimate made by the Treasury Department in 1902, showing that the cost of maintaining the \$346,000,000 greenbacks up to date has been more than \$1,000,000,000.

TREASURY DEPARTMENT,
OFFICE OF THE TREASURER OF THE UNITED STATES,
Washington, D. C., March 17, 1902.

Statement showing the redemption of United States notes, Treasury notes, silver coin redeemed or exchanged, the national-bank notes outstanding and redeemed by fiscal years from 1879.

Fiscal year.	Redemptions.		Silver coin redeemed or exchanged.	Average outstanding.	National-bank notes.	
	United States notes.	Treasury notes.			Amount.	Per cent.
1879	\$54,107,833			\$324,244,285	\$157,657,000	48.62
1880	51,302,563			329,530,923	61,585,000	18.13
1881	54,545,334			346,314,471	59,650,000	17.22
1882	79,520,424			359,735,050	76,089,000	21.15
1883	109,764,714			359,868,524	102,700,000	28.53
1884	85,948,236			347,746,363	126,152,000	36.27
1885	84,493,153			327,022,288	150,209,000	45.93
1886	63,000,000			314,815,970	130,236,000	41.38
1887	74,068,000			293,742,052	87,690,000	29.85
1888	63,662,000		(*)	265,622,692	99,152,000	37.32
1889	59,450,000		\$48,729,649	230,648,247	88,362,000	38.55
1890	78,132,000		47,643,339	196,243,499	70,257,000	35.80
1891	70,792,000	\$1,624,000	54,775,783	175,911,373	67,461,000	38.34
1892	66,264,000	8,646,770	56,018,389	172,113,311	69,625,000	40.45
1893	91,116,000	41,759,950	58,472,489	174,755,355	75,845,000	43.40
1894	90,960,000	46,397,000	65,550,976	205,322,804	105,331,000	51.30
1895	74,720,000	50,712,000	57,073,792	207,860,409	86,709,000	41.71
1896	68,924,000	61,564,000	60,820,051	217,133,390	108,261,000	49.85
1897	59,620,000	45,502,000	64,636,098	222,888,449	113,574,000	48.76
1898	54,290,000	43,302,000	58,275,905	228,170,874	97,112,000	42.56
1899	88,404,000	38,401,000	61,697,291	239,287,673	90,838,000	37.96
1900	80,676,000	33,499,280	68,911,547	260,293,746	96,982,000	37.25
1901	91,680,000	28,244,000	76,671,474	339,884,257	147,487,000	43.39
1902 (eight months)	67,600,000	12,437,000	55,953,138	358,775,526	108,194,064	30.16

* Not reported previous to 1889.

The following estimate was made by the Chief of the Loan and Currency Division of the Treasury Department:

COST TO THE GOVERNMENT OF MAINTAINING THE GREENBACKS.

Cost of the gold reserve, including liability for principal of bonds sold and interest thereon to their maturity.

Principal of bonds sold for resumption purposes:	
1877 and 1878	\$95,500,000
1894	100,000,000
1895	62,315,400
1896	100,000,000
Total principal	357,815,400
Interest at 4 per cent on the average amount of the free gold in the Treasury from January 1, 1879, to January 1, 1895	93,440,000
Interest from January 1, 1895, to July 1, 1907, on \$95,500,000 4 per cent bonds of 1907	47,750,000
Interest from January 1, 1895, to February 1, 1904, on \$100,000,000 5 per cent bonds	45,416,666
Interest from February 1, 1895, to February 1, 1925, on \$62,315,400 4 per cent bonds	74,778,480
Interest from February 1, 1896, to February 1, 1925, on \$100,000,000 4 per cent bonds	116,000,000
Total cost, including liability, except United States notes outstanding	735,200,546
Add amount of United States notes still outstanding	346,681,016
Total cost and liability	1,081,881,562

If the United States notes had been funded on the 1st day of January, 1879, into the thirty-year 4 per cent bonds of 1907, then being sold, the total cost to the Government therefor, including interest from January 1, 1879, to July 1, 1907, would be as follows:

Principal of bonds	\$346,681,000
Interest from January 1, 1879, to July 1, 1907	395,216,340
	741,897,340
Difference in favor of converting the United States notes into bonds	339,984,222

Now, what is the importance of that situation, gentlemen? It is this, that it is proposed to precipitate upon the Treasurer of the United States seven hundred and fifty millions of demand obligations. How are you going to redeem them? Mr. Glover did not know, Mr. DAWES was compelled to admit, as every man must, that the only way of escape is by selling bonds and buying gold for the redemption of the notes.

Mr. BRUMM. Will the gentleman permit a question?

Mr. FOWLER. No, sir; I can not have an interruption—

Mr. BRUMM. I would like to ask the gentleman one important question.

Mr. FOWLER. I have not the time. We have here what is supposed to be an explanation, gentlemen, of what this redemption is going to be at the lips or, rather, from the pen of the Treasurer of the United States, and made a part of Mr. VREE-

LAND's statement before the Banking and Currency Committee. I want to read it to you:

There seems to be an ill-founded impression that in case additional notes to the amount of \$500,000,000 were issued there might be reason for apprehension of an insufficient amount of lawful money to redeem the same. However, when it is taken into account that we have of lawful money, consisting of \$346,000,000 United States notes and \$565,000,000 silver certificates and silver dollars, a total of \$911,000,000, with which to provide for the redemption of \$627,000,000 national-bank notes and \$500,000,000 emergency currency, a total of \$1,127,000,000, it shows that we have a percentage of 80.8 per cent lawful money in the country, besides gold, to redeem the present and contemplated issue of national-bank notes.

The CHAIRMAN. The time of the gentleman from New Jersey has expired.

Mr. FITZGERALD. Mr. Chairman, I yield fifteen minutes additional to the gentleman.

Mr. FOWLER. Gentlemen, is it going to be a real redemption of these notes to put in silver certificates and United States notes? Think of it. As a matter of fact they never redeem them in any kind of lawful money, for in the practice of the banks when they make their 5 per cent good they send a check which goes through the clearing house at New York, and when the balance is against the Government it pays out the gold. We have a deficit and likely will have for several years. I would like to ask this House to revert to history if they will and read the splendid speeches which were made here in 1862 upon the question of making the greenbacks legal tender, by Roscoe Conkling, Charles Sumner, E. G. Spaulding, George H. Pendleton, William Pitt Fessenden, John Sherman, and a large number of men to whom I would like to call to your attention if I had the time. Gentlemen, the legislation of this session of Congress may be the most fatal legislation in the history of this nation. Mark my word. Occasionally we hear it whispered around these halls, "Oh, we must do something."

That reminds me of a little experience I had out in Iowa in the great greenback campaign in 1878. One night in a farmer's family two neighbors had come in and began an argument, and the farmer, who undoubtedly had a very useless boy, at the end of the debate, when argument would no longer suffice, remarked:

If I did not know any more than you do I would go and butt my brains out against a feather tick and if that is too hard I would shoot myself in the feet, in the bowels, do anything, commit suicide, but I want you to do something.

Ah, gentlemen, are we going to be so foolish as that? Must we do something even though we commit political suicide? Are the Republicans of this House going to be so foolish as to try to fool the American people with a foolish measure? Nay, more, with something worse than a foolish measure—a measure that must prove fatal to our national credit. It is worse than foolish. It is dangerous, it is ruinous, and will drive the national credit of this country, as certainly as any bill is passed of this character, to default.

Now, is there any need of doing something? Take all of these thousands and tens of thousands of voices that were heard in our room, or heard from, and not one person, not one single person, with an only exception, thought it was necessary to do anything at this time. That one person knew so much as to say he did not know how to redeem the notes if we put out a thousand million dollars, as he desired. No other person thought it was necessary. Probably the best judge of the situation in this country would be Mr. Forgan, president of the First National Bank of Chicago, a man whose connections cover the whole commercial field of the great Middle West and are broader and more extended than any other banker in this country. He said:

Why, no! I have been wanting to take a vacation for six years and go to Scotland and spend the summer, and I am going this summer.

Again, gentlemen, I stated in November when this panic was at its height, that in the first part of the year the reserves of New York would be higher than they have been for seven years, but they have outstripped my declaration, and last Saturday they were \$60,000,000 stronger than in any April since 1894. So you will find the reserves throughout the country and business conditions are such to add still more largely to them.

Mr. Forgan was asked this question by Mr. PRINCE:

Mr. PRINCE. Do you think there is now need of emergency currency legislation?

Mr. FORGAN. I do not; and I do not think a condition can ever exist in this country or any other country that will warrant the use or the issue of anything that could bear such an infernal name as "emergency currency," because as soon as you use it and you say that a single bank has issued emergency currency you have got the whole of your depositors on your back. Now, suppose that emergency does exist; if they believe an emergency exists, they will do as they have always done, and run on the banks. A proper currency prevents anything of the kind of an emergency ever getting into the minds of the public. They never know that an emergency exists. The banks may,

but if the banks have the proper tools of their trade, the proper implements that will enable them to carry on their functions as bankers, they will serve the public in such a way that the public will never know that an emergency exists. But just as soon as you name a currency "emergency," just as soon as you use that word you invite disaster, you invite runs on your banks.

I heard something here yesterday from the gentleman from Massachusetts [Mr. LOVERING] about your depression. You have a depression, but let me say to you now, that if you hold the revision of the tariff over the American people for the next fifteen or eighteen months, you will have a persistent, continuous dry rot, and if you superimpose upon that the issue of \$750,000,000 of fiat money, a sure inflation, this country will see a real panic, and you will need something more than emergency currency. You will want gold, gold, and still more gold furnished by the Government, because the banks will protect themselves against the Government and run upon the Government, and compel the Government to maintain all this money upon a gold basis. That is the banks' business. That is their duty. We were given a little advice in our committee the other day by a Member of this House. He told us that the wisdom of all is greater than the wisdom of few. When General Grant was confronted with the greenback bill in 1873, he did not think they all knew more than he did. And we all now know that he knew more than all of them.

In 1878 President Hayes knew more than all of the Republicans, who were political cowards wanting to be reelected to this House, and so in 1893 Grover Cleveland knew more than all the Democratic party, with William J. Bryan thrown in. [Applause on the Republican side.] So, gentlemen, we were advised. Now, we come to this House in the first place with a financial and currency measure supported by every economist and every economic journal in the United States; also thousands and tens of thousands of manufacturers, merchants, business men, and bankers. Again, having had before us a large number of the leading business men of the country, and they having advised us that under all the circumstances it would be better to have no legislation than the Aldrich bill, we have reported to this House a bill for a broad commission, representing all the regions of the United States, representing all the interests of the United States, and I want to tell you now, if there ever was a time for sound learning and sober thought, if there ever was a time when we should be honest with ourselves and honest with the American people, it is this very day. [Applause on the Republican side.]

Mr. WILSON of Pennsylvania. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from Pennsylvania asks unanimous consent to extend his remarks in the RECORD. Is there objection?

Mr. WILSON of Illinois. Mr. Chairman, I object.

The CHAIRMAN. The Chair will suggest to the gentleman from New York [Mr. FITZGERALD] that the gentleman from New Jersey consumed ten minutes and has five of the fifteen granted to him remaining.

Mr. SMITH of Iowa. I did not get the Chairman's announcement.

The CHAIRMAN. The gentleman from New Jersey [Mr. FOWLER] consumed but ten minutes of his last fifteen.

Mr. FITZGERALD. Will the gentleman yield the five minutes back to me?

Mr. FOWLER. I yield back my time to the gentleman from New York [Mr. FITZGERALD].

Mr. SMITH of Iowa. I yield seven minutes to the gentleman from Massachusetts [Mr. WASHBURN].

Mr. WASHBURN. Mr. Chairman, in his speech made on Friday, March 20, 1908, the gentleman from Georgia [Mr. BARTLETT] said:

In reference to the antitrust question, I want to say that the antitrust bill introduced by Mr. Sherman, known as "bill No. 1, first session, Fifty-first Congress," was reported from the Committee on the Judiciary of the Senate, and it did not have a thing that Mr. Sherman ever wrote in it except the enacting clause. When it went upon the statute books it was the product mainly of the brains of four men, namely, Senator George, of Mississippi, Senator George G. Vest, of Missouri, Senator Edmunds, of Vermont, and Senator Hoar, of Massachusetts, and Mr. Sherman would not have recognized the bill that was reported as his own if he had met it in the road. Or, if he had recognized it, he would have looked at it as a cow would look at a last year's calf through a crack in the fence. He might have thought he knew it, but he would have thought again that he did not.

Mr. Chairman, in the interest of historical accuracy, I desire to quote from a statement made in reference to this matter in his autobiography by Hon. George F. Hoar, then senior Senator from Massachusetts, corroborating in one particular the remarks made by my friend the other day, and in another amending it. In chapter 36, volume 2, Autobiography of Seventy Years, Mr. Hoar said:

In 1890 a bill was passed which was called the Sherman Act for no other reason that I can think of except that Mr. Sherman had nothing to do with framing it whatever. He introduced a bill and reported

it from the Finance Committee providing that whenever a trust, as it was called, dealt with an article protected by the tariff, the article should be put on the free list. This was a crude, imperfect, and unjust provision. It let in goods made abroad by a foreign trust to compete with the honest, domestic manufacturer. If there happened to be an industry employing thousands or hundreds of thousands of workmen, in which thousands of millions of American capital was invested, and a few persons got up a trust—perhaps importers, for the very purpose of breaking down the American manufacturer—and made the article to a very small extent, all honest manufacturers would be deprived of their protection.

Mr. Sherman's bill found little favor with the Senate. It was referred to the Judiciary Committee, of which I was then a member. I drew as an amendment the present bill, which I presented to the committee. There was a good deal of opposition to it in the committee. Nearly every member had a plan of his own. But at last the committee came to my view and reported the law of 1890. The House disagreed to our bill, and the matter went to a conference committee, of which Mr. Edmunds, the chairman of the committee, and I, as the member of the committee who was the author of the bill, were members. The House finally came to our view.

It was expected that the court in administering that law would confine its operation to cases which are contrary to the policy of the law, treating the words "agreements in restraint of trade" as having a technical meaning, such as they are supposed to have in England. The Supreme Court of the United States went in this particular further than was expected. In one case it held that "the bill comprehended every scheme that might be devised to restrain trade or commerce among the several States or with foreign nations." From this opinion several of the court, including Mr. Justice Gray, dissented. It has not been carried to its full extent since, and, I think, will never be held to prohibit the lawful and harmless combinations which have been permitted in this country and in England without complaint, like contracts of partnership, which are usually considered harmless. We thought it was best to use this general phrase which, as we thought, had an accepted and well-known meaning in the English law, and then after it had been construed by the court, and a body of decisions had grown up under the law, Congress would be able to make such further amendments as might be found by experience necessary.

[Applause.]

Mr. BARTLETT of Georgia. Will the gentleman permit me to interrupt him?

Mr. WASHBURN. Certainly.

Mr. BARTLETT of Georgia. I want to state to the gentleman that I did not want to do the distinguished Senator from Massachusetts any injustice, but was simply undertaking to show that the Sherman antitrust law, like a great many other acts passed by Congress, simply carried the enacting clause of a Member or a Senator who introduced the bill, and who got the benefit of somebody's else brain and work.

Mr. WASHBURN. And, as I stated, this statement of Senator Hoar corroborates what the gentleman from Georgia said in one respect and amended what he said in another.

Mr. FITZGERALD. I yield the balance of my time, twenty minutes, to the gentleman from Mississippi.

Mr. WILLIAMS. Mr. Chairman, some argument, some ridicule, some humor have been expended by the gentlemen on that side of the House in connection with the programme which has been pursued by this side. The other day the gentleman from Washington [Mr. CUSHMAN], with exquisite humor, which appealed to my sense of fun as much as anyone's else, took easily the leading rôle in the matter of fun making. He was funnier even than he thought to be. The gentleman illustrated his home breeding upon the farm by telling a delightful story about a dog and an ox.

Several MEMBERS. A cow.

Mr. WILLIAMS. And the ox's name was "Boss," a very appropriate name for an ox, because it is possible, although I will not vouch for it, that the etymologist may have originally included the word "boss" as among the derivatives from the Latin "bös," then "bös," and then corruptly pronounced "boss," genitive bo-vis, that originally meant a female ox. It is possible that is why we now refer to a boss, especially to the species yclept Republican boss, as bearing every similitude to the ox. [Laughter.] The gentleman told how the Democratic dog got after the Republican ox named "Boss," who was in the pasture up to his knees in clover, quietly chewing his cud, and presumably doing nothing, as oxen are in the habit of doing nothing when chewing their cuds in deep clover; how the Democratic dog undertook to drive him out of the pasture; how the ox became infuriated and took after the dog, and how, when they got out of the pasture of inactivity and into the field of legislation, it was observed that the dog was in the lead and the ox was doing the chasing.

Now, Mr. Chairman, I do not materially care as to how or in what order we get out of the clover patch of cud chewing and legislative inactivity, nor how we get into the field of legislative activity. I am perfectly willing for the gentleman from New York to be of the persuasion when we get out in the field of active legislation, where we shall do something, that he has chased me into it—just so he gets out and does something is all I ask. [Applause on the Democratic side.] Just so the Republican party does something is all I ask. I have no doubt that even if evidently infuriated and nagged into it, it and its

bosses will claim all the credit. What I want is legislation beneficial to the people.

Then my friend, whom I perhaps love personally more than almost anybody, went on to say that our political programme was "not even peanut politics, but of the mustard-seed variety." He was again more humorous even than he himself knew. The Democratic leadership is not of the peanut-fed variety. Peanuts are oleaginous in character, with a fat-producing tendency, a food producing a certain rotundity—a certain appearance of oily embonpoint about a man's figure, which certainly can not be predicated as a physical description of me, however it may be with other "leaders." [Laughter and applause.] I am glad to welcome the description of my friend from Washington of our politics as being of "the mustard-seed variety." Again he was wiser in his humor and more humorous in his wisdom than he knew, for there is nothing that produces so fine a blister, nor as quickly and as effectively, as a blister made out of mustard seed. [Renewed laughter and applause.]

Now, Mr. Chairman, undiscouraged and in pursuance of this policy so blistering to activity, I hold in my hand a petition, respectfully worded, kindly worded, humbly worded, to the Speaker of the House of Representatives. To it are appended 162 names of men who are Members of the House of Representatives, or, rather, men whose constituents thought they would be Members of the House of Representatives when they were sent here. [Laughter and applause.] It contains the name of every Democrat who is a Member of this House except 4, who are out of town, and whom we are trying to reach by telegrams, and when we reach them there will be 4 more, which will constitute 166, the full membership of the House upon this side of the main aisle. [Loud applause on the Democratic side.]

Now, Mr. Chairman, it requires just thirty more names added to this to bring recognition and results. But first I will read you the petition, in order that you may know how respectful and polite and considerate it is.

Hon. J. G. CANNON: Mr. Speaker, we, the undersigned Representatives in Congress—

That is the only thing that could be even tortured into discourtesy—our calling ourselves Representatives [laughter on the Democratic side]—

We, the undersigned Representatives in Congress, request, each for himself and each for each of the others, that you recognize one of us, or, if you prefer, some other Representative, to move to discharge the Committee on Ways and Means from the further consideration of, and to suspend the rules and to pass, the Stevens bill, or any other bill, having the effect to put wood pulp and print paper on the free list.

A MEMBER. Put in the names.

Mr. WILLIAMS. I have stated who they are. Now, Mr. Chairman, I am going to ask the page to carry this petition down and put it on the table which has been placed in front of the Clerk's desk, out of the way of everybody, where ink and pen and blotters have been provided for all who sincerely desire legislative result. You know it is never too late to mend, and all of you who desire to join in this humble and polite request to the Speaker will have the opportunity. Oh, my friends, we only need thirty of you; that is all. [Applause on the Democratic side.] About that many of you—or almost that many—have introduced bills to put wood pulp and print paper upon the free list. Why, Mr. Chairman, the most eloquent argument that I have read in a long time (I missed its delivery and I was sorry, so I read it last night) came from the gentleman from New York, my friend, Mr. PERKINS. There has been nothing said upon this side of the Chamber that reached it in fullness of information, in cogency of reason, and in aggressiveness of expression and apparent anxiety for immediate action. It is unequalled as an argument in favor of putting wood pulp and print paper upon the free list. Not only the great State of New York is represented in this expressed desire, but the Middle West, in the person of the gentleman from Minnesota [Mr. STEVENS], has sounded the free wood pulp and paper tocsin, too. I do not know just how many of you have written and introduced bills to that end, but I know that every one of you who introduced a bill meant what you said, of course. Now, Mr. Chairman—

*While the lamp holds out to burn,
The vilest sinner may return,*

and if you have lately been, or expect to be, in any manner bulldozed or boss-ridden, why, think for a second; think of what a short life we live here and how necessary it is that we should be doing things while we are living during this brief day of our time.

I express a hope that at least thirty of you may sign the petition now on the table. If you do not like that petition because my name is on it, and the names of CHAMP CLARK and DE ARMOND and UNDERWOOD and JOHN WESLEY GAINES, and all

these vile "publicans and sinners" on this Democratic side, get up one of your own composed entirely of the "unco guid." The Speaker can add the two together if he be not too excited. If thirty of you sign the Speaker can not refuse, because you, together with us, will then constitute a majority of the House of Representatives, and early in the session, when the rules were being adopted, the gentleman from Missouri [Mr. DE ARMOND] said that the House could not handle itself. The Speaker said that whenever the House wanted to do anything the House always could do it. The Speaker was then asked if a majority of the House made a request to the Speaker whether that request would be heeded, and his reply, as I remember it, was, "A request of a majority of the House of Representatives will always be heeded by the Speaker." So if you Republicans put 30 names there to our 166 and get, by a familiar process of arithmetic, the number 196, we shall have a majority of the House of Representatives. I know that the eminently good natured man who presides over this House, who is so tolerant of opposition, so patient whenever there is a stumbling block athwart the pathway of his intent, will bow in his most elegant manner, with the gesticulation that is peculiar to him, and say, "Gentlemen, a majority of the representatives of the American people have a right to have their way, and I will recognize somebody." [Applause.] Do not be afraid. Why, gentlemen, I feel optimistic to-day, because I joined the optimists' club this morning, sending a dollar for a life membership in it, and I have had some optimist's literature sent me, and I find these lines to read for your edification, among other things. I will announce beforehand, however, that they are evidently not written by the poet laureate of the House, the Hon. JOHN DALZELL, of Pennsylvania, but seem to have been written by a man with some regard for both rhythm and rhyme.

Now, gentlemen, before I read, walk up and do your duty. Are there thirty of you that are not afraid to make a respectful and polite, even a humble request, in writing, of your own chosen Speaker, without having previously obtained his consent to request him? [Laughter and applause on the Democratic side.] If there are, let us hear from you. Disregard the danger. Be independent. Play your own hand.

*Though the path of life be stormy
Play the game.
Troubled waters may surround,
Disappointments will confound;
Yet, though heartaches still abound,
Play the game.*

[Applause.]

Gentlemen, let me say that the danger is not so great as you think. It is chiefly an alarm growing out of peculiar gesticulations and an original hammering of the desk and an impatient voice. But if you just march up and say: "I will for once represent my constituents. I want free wood pulp and free print paper, and I will have the courage at least to ask of the Speaker to recognize somebody to move to consider a bill for it," upon my honor you will come out of it without any physical disfigurement. I know some of you gentlemen do not believe that, but you will. Do not take recourse in the idea that you will not benefit the publishers of the newspapers and their readers by your request and your vote. I know you will, because the other day the gentleman from Pennsylvania [Mr. DALZELL] demonstrated and confessed that you would. After the argument had been made that putting print paper and wood pulp on the free list "would not reduce the price of paper, because that was not the reason of the rise in its price," then the gentleman from Pennsylvania, turning to this side of the Chamber, said:

The gentleman from Mississippi has warned us on this side frequently not to take counsel from those who are interested in the result of legislation, and now he is trying to force upon the House legislation in the name of those who are interested in the legislation, to wit, the newspaper men and the magazines.

And so forth.

He little thought of the argument he was making, and yet it was conclusive; because if the newspapers and magazine publishers are interested in this legislation, then it is because the first step in his reasoning was not sound, to wit, that putting paper and wood pulp on the free list would not reduce its price. They could not have any possible interest in making them free of duty except upon the supposition that the gentleman could not himself help making—that putting them on the free list would reduce the price and enable them to get paper cheaper. So I will leave you to his argument and admission on that subject.

My friends, I say again, Do not rely on a broken reed, do not rely upon the Cannon resolution of "inquiry." Why, your own Republican newspapers, among them a paper from the district

of my friend from Illinois [Mr. MANN], the Chicago Record-Herald of April 20, 1908, says:

If Speaker CANNON had hoped to turn the tables on the President and the advocates of immediate action on wood pulp and print paper duties by his "coup" in the shape of resolutions demanding injunction proceedings against the paper trust he soon realized that the strategem had proved a complete failure. The Attorney-General informed the anxious Speaker that the inquiry into the organization and methods of the combination was still in progress, that the evidence so far obtained did not warrant criminal prosecution, and that the investigation would be energetically continued with a view to appropriate action in the end in the event of such action being demanded by the completed record.

"Trust busting" as an alternative to every simple repeal legislation—and legislation urged not merely by publishers but by manufacturers and merchants approaching the question from the standpoint of forest preservation—was thus eliminated from the situation. The Speaker's best laid plans had gone agley. The necessity of acting on the Executive's recommendation to overhaul the wood pulp and paper duties without touching any other tariff schedule again stared the poor standpatters in the face. What was to be done?

Nothing? With over a hundred Republican Congressmen in open rebellion—

If there be 100 of you, let 30 of you unite with us in this humble, but polite, request which the Speaker will gladly and greedily grant. That is all that is desired of you.

With over 100 Congressmen in open rebellion, with the Democrats under the irrepressible WILLIAMS contemplating further prodding, and with great interests persistently asking why the obvious, simple, natural remedy should not be applied by the majority, the standpatters perceive that "nothing" would be a poor alternative indeed.

It is now announced that Speaker CANNON will offer a resolution for an independent Congressional investigation of the paper trust. This will be coup No. 2. Will it be a greater success than No. 1? Hardly. Why a separate investigation of the paper trust and not of any other combination? Why this utterly gratuitous reflection on the Executive Departments, to whose records all the State platforms point with pride?

Mr. Speaker, I saw the gentleman from Maine [Mr. LITTLEFIELD] go down in the neighborhood of the mourners' bench, and I hoped for something in the shape of a signature result. I ask him to take the matter into prayerful and silent consideration for a few moments while I finish reading this article, and keep silent that he may hear. [Laughter.]

Besides, an investigation will take time—no one knows how much time. The restive legislators will scarcely be quieted by it. The champions of forest preservation need no investigation of any alleged restraint of trade to fortify their case for repeal of wood-pulp duties.

The CANNON scheme won't answer. The repeal remedy can not be dodged in any such way. The cry that the tariff question must not be touched, even gently, lest something appalling should occur alarms no one. There is no balm for the standpatters save in repeal.

[Applause.]

Now, Mr. Speaker, I find this in the Poughkeepsie New Press—

The CHAIRMAN. The time of the gentleman from Mississippi has expired.

Mr. WILLIAMS. I am very sorry that I did not have time to read an alleged interview with the present occupant of the chair [Mr. WATSON]. [Laughter.]

Mr. SMITH of Iowa. Mr. Chairman, I yield the balance of my time to the gentleman from Michigan [Mr. McMORRAN].

The CHAIRMAN. The gentleman is recognized for eight minutes.

Mr. McMORRAN. Mr. Chairman, it is seldom that I have felt inclined to talk on any public question before this House, but being a member of the Banking and Currency Committee, and having devoted considerable time within the past two or three months to the study of the currency question, and knowing from some observations that have been made that the members of that committee are sometimes called cranks, I have felt that I ought to address the House and give my views upon the currency question. I only regret that the time is so limited to discuss so important a question, and I regret very much that our time has been cut short, as I assume, largely by the efforts of that great Democratic spellbinder, the leader of the minority of this House. I was very glad to hear the gentleman state this morning that he had joined the optimists' club. If there is anybody who needs to join that club, it is our friend, JOHN SHARP WILLIAMS, the leader of the minority, and if I am any prophet, I want to prophesy to the Members of this House that after the vote is counted next November that same gentleman will be looking for one of the largest pessimistic clubs in this country to join. [Laughter and applause on the Republican side.] He will see presented to him one of the largest majorities that the Republican party has ever rolled up in favor of reinstating the Republican party in power for another four years.

Now, Mr. Chairman, referring to the currency question, it is a very important matter, and I assume there are very few Members of this House that are informed upon it or who have given any study to the question. We had a great panic during the year 1907, and there have been innumerable reasons given

as the cause for it, and in that connection I desire to call attention to a few figures on the subject of our cash and reserves. In 1897 this country had in cash in circulation nineteen hundred and six millions of dollars.

In 1907, last year, we had thirty-one hundred and sixteen millions of dollars, or an increase of practically 50 per cent. In 1897 we had in loans in this country, by national and all other banks, two thousand and sixty-six millions of dollars. In 1907 we had forty-seven hundred and nine millions of dollars, or an increase of 135 per cent as against 50 per cent of an increase of actual money. I also desire to call attention to the condition of the banks of this country during the year 1907 as to their reserves. The cash reserves of all banks, except national, was 8.28 per cent; private banks, 5.76 per cent; trust companies, 4.93 per cent; savings banks, 0.78 per cent, or an average of 5.61 per cent of all banks, except national. Is it any wonder that we had a shock? And had this condition continued it was only a question of time when the shock would have been stronger and would have done far more damage to the country.

Now, as to the remedies. The remedies proposed are without number. Everyone has a remedy, and I assume that my friend, the gentleman from Missouri, Mr. CLARK, on the other side, if he were permitted to make an answer, would say that he would be willing to reiterate his former declaration on the floor of this House, namely, to destroy all the custom-houses and then we would have a good currency and plenty of it. There have been several bills introduced before the Banking and Currency Committee. We have had the Aldrich bill, which we have given most careful consideration. We have had the Vreeland bill, and have given said bill the same consideration. The danger of the Aldrich bill is that it is an issue of currency which is practically fiat money. There is no provision in that bill for any gold reserve for redemption, and the same thing applies to the Vreeland bill. Mr. Chairman, we do not want to forget, as the chairman of the Committee on Banking and Currency has stated, that we have to-day only \$150,000,000 of gold reserve as against three hundred and forty-six millions of greenbacks, six hundred and odd millions of currency and four hundred and odd millions of silver dollars, which are worth only 50 cents on the dollar intrinsically. When you issue five to seven hundred millions of currency in addition to this without providing any additional gold for redemption, you are going beyond the danger line.

Our currency should be built up by a stronger gold reserve, and I think that is conceded by every business man in this country to-day. Before we pass any legislation relating to currency, it is all important that we should have better knowledge than we have to-day, and I am strongly in favor of the commission that may have ample time to give full investigation to the necessities of this country at this present time. At the present time I want to say to the membership of his House that there never was a better time for the formation of a new currency law by such a commission as was outlined by the chairman of the Committee on Banking and Currency. Our reserves are now being built up by the banks throughout the country. We shall have a period of rest for the next year, not only allowing the banks to build up their reserves, but allowing many of our American people to liquidate and get on a stronger basis. The currency to-day is more redundant, and will continue in that condition for many months, and until next August we shall have more currency, in my judgment, than the country needs. We have to-day, or will have by the 1st of July next, upward of four hundred millions of Government bonds that can be utilized for circulation. Assuming that something must be done for the interests of the American people, is it proper that we should assume to issue a currency based upon State, county, and municipal bonds when we have within our control over four hundred millions of Government bonds?

The Government bonds under which the present currency is issued are no burden upon the American people or upon the borrower, while the proposed form of currency, as advocated by the Aldrich bill and by the Vreeland bill, makes a tax upon the borrowers of this country, and I believe it is unfair, unjust, and uncalled for on the part of this Congress to pass any legislation of a currency nature that will impose any burdens upon the American merchant, the American manufacturer, or the American agriculturist.

In closing, I hope that the membership of this House will coincide with the recommendation of the Banking and Currency Committee and recommend a commission, giving them ample time to investigate this subject and to bring back to this Congress on the 1st day of December next a plan that will give a more elastic currency, such as the country is demanding. [Applause.]

The CHAIRMAN. The time for general debate has expired, and the Clerk will read the bill under the five-minute rule.

The Clerk read as follows:

That in all cases, during the fiscal year 1909, where any building or buildings not reserved by the vendor are on land heretofore acquired, or which may hereafter be acquired, for Federal building sites or for the enlargement of Federal building sites, the Secretary of the Treasury is hereby authorized, in his discretion, to rent such building or buildings until their removal becomes necessary and to make such repairs thereto as may be necessary to keep the buildings in tenantable condition, payment to be made from the proceeds derived from the rentals, the net proceeds to be deposited in the Treasury of the United States and a report thereof to be submitted to Congress annually.

Mr. CRUMPACKER. Mr. Chairman, I reserve a point of order to the paragraph just read, with the view of obtaining some information respecting the necessity for it. Are there any instances where the Government has bought sites for public buildings that such sites contain buildings not reserved and which are tenantable and the sites not needed by the Government?

Mr. SMITH of Iowa. I will state to the gentleman this chiefly refers to the buildings immediately in the rear of the post-office building in this city. We have acquired that block of ground, with the view of the ultimate erection of a building on it for the use of the Post-Office Department, and pending the erection of the new building we have been renting the residences and buildings upon these premises. Now, the items of repair and the like are difficult to compute in advance, and, being a purely temporary arrangement, we have provided that during the year they may rent these buildings and pay the absolutely necessary current repairs out of the rental, and cover the balance into the Treasury. Now we are simply extending this one year further.

Mr. CRUMPACKER. There is no appropriation then for the erection of a building on that site?

Mr. SMITH of Iowa. There is no appropriation and no authorization for the construction of a building upon this site.

Mr. CRUMPACKER. The Government has simply acquired the site.

Mr. SMITH of Iowa. Simply acquired the site.

Mr. CRUMPACKER. Intending some time in the future to erect a building there.

Mr. SMITH of Iowa. In the rear of the present post-office.

Mr. CRUMPACKER. I notice in a number of public-building acts that appropriations are made and authority given to acquire sites for public buildings in various towns without an appropriation for the construction of a building, and I did not know but that the provision might apply to such cases.

Mr. SMITH of Iowa. This refers to the city of Washington, where these residences are now rented by the Government and the current repairs paid out of the rent.

Mr. CRUMPACKER. This is the only case known to the committee where the Federal Government owns a site and buildings and is not ready to put up a new building.

Mr. SMITH of Iowa. This is the only one that is in my mind. The law was carried last year to the same effect.

Mr. DRISCOLL. Are not there places in the country, aside from Washington, where the Government has bought sites and has been renting buildings on them?

Mr. SMITH of Iowa. There have been such instances, but I do not know of any instance at the present time.

Mr. DRISCOLL. The buildings at Indianapolis are rented now.

Mr. SMITH of Iowa. I think perhaps they are, but I am not advised about that.

Mr. DRISCOLL. And does not this permit the Treasury Department to rent any sites, and therefore it may not prepare to construct the buildings as soon as possible?

Mr. SMITH of Iowa. It will not, but where a site has been authorized and acquired and a building has not been authorized it is certainly proper to rent the building during that period and cover the rent into the Treasury.

Mr. DRISCOLL. But without giving any leases for any length of time.

Mr. SMITH of Iowa. It is not so contemplated at all.

Mr. CRUMPACKER. Mr. Chairman, I withdraw the point of order.

Mr. SMITH of Iowa. This only refers to the fiscal year 1909.

The Clerk read as follows:

For salaries of 288 keepers of life-saving and lifeboat stations and of houses of refuge, \$273,800.

Mr. PERKINS. Mr. Chairman, I move to strike out the last word for the purpose of getting some information. I would like to ask the gentleman in charge of the bill in reference to the pay that is given the keepers of the life-saving stations, whether in case a man has become disabled by reason of his

service for the Government, which is a hazardous and wearing service, any allowance of any sort is made for him?

Mr. TAWNEY. I will state in answer to the gentleman from New York [Mr. PERKINS] he is allowed one year's pay under the law.

Mr. PERKINS. He receives one year's pay, and that is all he receives?

Mr. TAWNEY. Yes, sir; that is all.

Mr. PERKINS. Now, does the gentleman think, where, as in many cases, and in a case that I have in mind of a keeper on Lake Ontario, a man who after heroic work for years, after saving a large number of lives, after constant exposure, without regard for himself, his health, or his safety, is at last so disabled that he can do no more for the Government, and, I suppose, no more for himself in any way, that is sufficient? It does seem that to turn a man onto the world disabled after such service as that, with one year's pay, is not just in comparison with what is received by those who expose themselves to no greater dangers in the Army and Navy.

Mr. BENNET of New York. Will the gentleman permit?

Mr. PERKINS. Certainly.

Mr. BENNET of New York. Is not there a bill either reported or passed—and I confess ignorance as to exact details—which provides for the retirement pay for men engaged in the Life-Saving Service?

Mr. PERKINS. I did not know that there was such a bill.

Mr. BENNET of New York. Such a bill has come out of the Committee on Interstate and Foreign Commerce in this session.

Mr. PERKINS. I should vote for it with very great pleasure.

Mr. CRUMPACKER. My recollection is that a bill passed the House, but it only referred to officers and not to surfmen. My recollection is it passed the House at this session.

Mr. TAWNEY. I will say to the gentleman from New York [Mr. PERKINS] that under the existing law a surfman who is injured in the performance of his duty—that is, permanently injured—is allowed one year's pay. That is, they carry him on the roll for one year. There is no law, however, providing for the retirement of the men in the Life-Saving Service.

Mr. MANN. The law provides if a man is killed in the Service that his widow or children may have two years' pay, and, if the Service desires, one year more of pay.

Mr. PERKINS. Suppose he becomes entirely disabled in the Service. What does he get when he is obliged to throw up his position?

Mr. MANN. He gets nothing.

Mr. DRISCOLL. Does the gentleman from New York [Mr. PERKINS] think that that is more dangerous than the Railway Mail Service?

Mr. PERKINS. I think the Railway Mail Service is a dangerous service.

Mr. DRISCOLL. That is all they get, namely, one year's pay when they are injured.

Mr. MANN. We had before the Committee on Interstate and Foreign Commerce a number of bills proposing pensions, retirement lists, and things of that sort.

Mr. DRISCOLL. I suppose you are against all sorts of civil pensions?

Mr. MANN. They were considered at length in the committee, and a majority of the committee was opposed to the creation of a pension list or a retirement list.

Mr. PERKINS. Was that retirement based merely upon length of service or was it a retirement where a man by reason of excessive exposure had become physically unable to do any further work, as often occurs in the Life-Saving Service?

Mr. MANN. Both schemes were represented in different bills before the committee.

Mr. PERKINS. The committee has not reported any of those, and does not expect to?

Mr. MANN. The committee in lieu of all those claims reported the Lovering bill, which has passed, and is now a law, making an increase in pay slightly in some of the cases, giving a ration in all cases, and extending the former law which gave two years' pay to a dependent mother as well as to the widow and dependent children.

Mr. PERKINS. Where would the gentleman draw a line between making a retiring allowance to a person who exposes himself to danger in the Navy, for instance, in the service of his country, and one that does precisely similar work and is exposed to equal dangers in the Life-Saving Service?

Mr. MANN. Well, if the gentleman asks me the question, of course I think it is an easy matter to draw the line between a military service and a purely civil service. It has always been the theory of the Government, as I understand it, to give some preference to people engaged in military service, so far

as being retired is concerned, over those employed in the civil service; but so far as this particular service is concerned, I may say to the gentleman that personally I have long been inclined to the opinion that they were entitled to a pension if injured in the service.

Mr. DRISCOLL. Mr. Chairman, it strikes me that there is a material difference in the two services. In the first place, the men in the civil service, all along the line, get better salaries than those in the military and naval service of the United States.

Mr. PERKINS. Will the gentleman allow me to ask him one question?

Mr. DRISCOLL. Certainly.

Mr. PERKINS. Take us now, in the condition of peace that we have enjoyed with few breaks for a hundred years, does not the gentleman think that the Life-Saving Service corps is more dangerous than service in the Navy?

Mr. DRISCOLL. I have no doubt that a railroad brakeman or fireman has a more dangerous employment.

The CHAIRMAN. The time of the gentleman has expired.

Mr. DRISCOLL. My time has not expired, Mr. Chairman, I move to strike out the last two words.

The CHAIRMAN. The gentleman from New York moves to strike out the last two words.

Mr. DRISCOLL. Besides that, the man who enlists in the military or naval service for three years, four years, or five years, can not retire if he finds that service disagreeable or if he does not like it, whereas people in most other services, the railroad or other dangerous service, can retire when they like. So that I think that should all be considered before we inaugurate the policy of civil pensions all along the line.

Mr. HOLLIDAY. I would like to ask the gentleman if he does not believe, if we are going to inaugurate a system of civil pensions, that we ought to include miners, railroad men, and all men engaged in dangerous occupations?

Mr. DRISCOLL. Well, I have never advocated, and do not now, the policy of pensions for people engaged in civil life.

Mr. HOLLIDAY. Does not the gentleman think the time will come, and at at no very distant date, when we will be compelled to do it?

Mr. DRISCOLL. I do not believe in climbing mountains until I come to them, and we have not come to that mountain yet.

Mr. HOLLIDAY. I believe we ought to get ready to climb that mountain now.

The Clerk read as follows:

Hereafter the pay of surfmen in the Life-Saving Service shall be computed according to the number of days in each month, respectively, and not as required by section 6 of the act of June 30, 1906, making appropriations for the sundry civil expenses of the Government for the fiscal year ending June 30, 1907.

Mr. UNDERWOOD. I desire to reserve the point of order on that paragraph and would like an explanation as to the necessity for the change of law in this paragraph.

Mr. TAWNEY. I will say that the reason for the change and the necessity for it is this: Under the rule that obtains in the payment of employees of the various Executive Departments as applied to the Life-Saving Service, it transpires that sometimes a substitute loses a day's pay and sometimes the principle and the substitute both lose a day's pay, and at other times only one loses a day's pay under the computation fixed by the rule under the statute. The surfmen do not understand why they sustain this loss, and think that somebody in the Department is responsible for it, and not the law. The gentleman in charge of this Service, Mr. Kimball, said it was very embarrassing to them, and caused more or less dissatisfaction among the surfmen, their employees; and for that reason they would like to have this provision inserted, so that they would pay a man for the time he actually worked; and if the substitute happened to go to work on the 31st he would get pay for that day, and not have to work two days for one day's pay. That is the reason for this change.

Mr. UNDERWOOD. I will state to the gentleman from Minnesota that there is no explanation in the report as to the change, and the change in the bill does not explain itself. I did not clearly understand the change that is made.

Mr. TAWNEY. The gentleman who appeared before the committee, Mr. Kimball, in charge of that work, said:

I would like to call the attention of the committee to the letter that the Secretary of the Treasury has sent to Congress asking that the method of paying the surfmen be changed. The letter is in House Document No. 806. The recommendation of the Secretary is that this proviso be added:

Then follows the proviso we have inserted. I asked him the question: "What is the reason for that recommendation?" Mr. Kimball said:

That method of computation for the Government usually is a very convenient method, but it operates very unjustly to our surfmen. The

reason is stated as well as I can state it in the text that follows. The men do not get what is actually due them. In some instances they lose two days' work; that is, the compensation for two days' work, and others lose one day. As it is now both the substitute and the man lose a day sometimes and the Government gains two days. They think they are not treated right.

Then he goes on with a further explanation for the provisions to carry it out.

Mr. UNDERWOOD. The result of this amendment staying in here would be merely to pay the man for the day that he actually worked?

Mr. TAWNEY. Yes.

Mr. UNDERWOOD. I withdraw the point of order.

The CHAIRMAN. The point of order is withdrawn. The Clerk will read.

The Clerk read as follows:

REVENUE-CUTTER SERVICE.

For expenses of the Revenue-Cutter Service: For pay and allowances of captain commandant and officers of that rank, senior captains, captains, lieutenants, engineer in chief, and officers of that rank, captains of engineers, lieutenants of engineers, two constructors, cadets, cadet engineers, commissioned surgeon, two contract surgeons, two civilian instructors, and pilots employed, and rations for pilots; for pay of warrant and petty officers, ships' writers, buglers, seamen, oilers, firemen, coal heavers, water tenders, stewards, cooks, and boys, and for rations for the same; for allowance for clothing for enlisted men; for fuel for vessels, and repairs and outfits for the same; ship chandlery and engineers' stores for the same; actual traveling expenses or mileage, in the discretion of the Secretary of the Treasury, for officers traveling on duty under orders from the Treasury Department; commutation of quarters; for maintenance of vessels in the protection of the seal fisheries in Bering Sea and the other waters of Alaska, and the enforcement of the provisions of law in Alaska; for maintenance of vessels in enforcing the provisions of the acts relating to the anchorage of vessels in the ports of New York and Chicago, and in the Kennebec River, and the movements and anchorage of vessels in St. Marys River; for temporary leases and improvement of property for revenue-cutter purposes; not exceeding \$15,000 for the improvement of the depot for the Service at Arundel Cove, Maryland; contingent expenses, including wharfage, towage, dockage, freight, advertising, surveys, labor, and all other necessary miscellaneous expenses which are not included under special heads, \$1,994,000.

Mr. TAWNEY. Mr. Chairman, I offer the following committee amendment.

The Clerk read as follows:

On page 14, in lines 18 and 19, strike out \$1,994,000 and insert in lieu thereof \$2,191,000.

Mr. TAWNEY. Mr. Chairman, I think I ought to make an explanation to the committee of the reason for this material increase.

Since the estimates were submitted to the House, Congress has enacted a law increasing the pay of the Revenue-Cutter Service, and it is in consequence of that law that this increase becomes necessary.

Mr. MANN. An increase in pay and an increase in numbers.

Mr. TAWNEY. An increase in pay and an increase in numbers. The amount required to be added to the appropriation "Expenses Revenue-Cutter Service, 1909," to carry out the provision of the act of April 16, 1908, is as follows:

1 captain commandant.....	\$4,828.00
6 senior captains.....	7,023.60
1 engineer in chief.....	4,076.48
6 captains of engineers.....	10,977.60

For increase in pay of retired officers serving in the civil war:

26 captains, 12 first lieutenants of engineers, 2 second lieutenants of engineers.....	20,273.25
Increase in pay to grade of captain commandant of former chief of division, retired.....	750.00

Increase of commissioned officers:

5 second lieutenants, 5 second lieutenants of engineers, 10 third lieutenants of engineers, 10 cadets, 10 cadet engineers.....	19,142.50
20 per cent increase of pay for all enlisted men.....	114,607.20
Longevity pay of warrant officers.....	5,453.78
Longevity pay of petty officers.....	3,283.48
Clothing allowance, enlisted men.....	7,000.00

Total..... 197,415.89

All of these items make up the aggregate of the amendment submitted, which is made necessary by reason of the law passed at this session of Congress.

Mr. MANN. Mr. Chairman, some of the items which the gentleman gives are not new items in the sense of being totally new amounts. Some of them are new items merely in the name as given, with some increase in salary. Now, can the gentleman tell us what total increase is proposed by the amendment and asked for by the Department, over what the estimates would otherwise have been?

Mr. TAWNEY. One hundred and ninety-seven thousand four hundred and fifteen dollars and eighty-nine cents.

Mr. MANN. I want to compare it with the totals as they would have been.

Mr. TAWNEY. Can the gentleman state what it was represented the increase would be under this law?

Mr. MANN. My recollection was it was \$175 or \$200.

Mr. CLARK of Missouri. In the list which you read there, did you not read the salary of retired officers of the Army?

Mr. TAWNEY. No; I read—

For increase in pay of retired officers serving in the civil war.

Mr. CLARK of Missouri. Do they get more than the officers who did not serve in the civil war?

Mr. TAWNEY. They seem to get more under the recent law than the other retired officers.

Mr. KEIFER. I think not, Mr. Chairman.

Mr. MANN. All retired officers who served in the civil war, both those who served in the Army and those who served in the Navy, as well as in the Revenue-Cutter Service, get more pay than they would receive if they had not served in the civil war.

Mr. TAWNEY. And that provision existed prior to this session of Congress?

Mr. MANN. Yes.

Mr. CLARK of Missouri. How do you come to be making provision for retired officers of the Army in a section relating to the Revenue-Cutter Service?

Mr. MANN. This is not for retired officers of the Army.

Mr. TAWNEY. They are retired officers of the Revenue-Cutter Service who served during the civil war—that is, who served in the Army during the civil war and afterwards became officers in the Revenue-Cutter Service.

Mr. CLARK of Missouri. Have they already got a retired list in this Revenue-Cutter Service?

Mr. MANN. I am surprised that the gentleman from Missouri forgets the gallant fight that he and I made several Congresses ago.

Mr. CLARK of Missouri. I am sorry that we did not win out.

Mr. MANN. We were defeated, and a retired list was created.

Mr. FITZGERALD. The gentleman from Illinois parted company with us afterwards.

Mr. MANN. No; the gentleman from Missouri parted company with the gentleman from Illinois.

Mr. FITZGERALD. The gentleman from Illinois went over to the enemy in this matter.

Mr. MANN. Not at all.

Mr. CLARK of Missouri. Why are you talking about retired Army officers in the Revenue-Cutter Service?

Mr. TAWNEY. They are not Army officers in the Revenue-Cutter Service, because there are no Army officers in the Revenue-Cutter Service.

Mr. MANN. These retired officers to which reference was made are officers of the Revenue-Cutter Service who, during the civil war, served in the Navy.

Mr. CLARK of Missouri. And they get more pay than other men who do the same work?

Mr. MANN. They get more pay than they would have received if they had not served in the civil war. At the last session of Congress we passed a bill by unanimous consent increasing a man's retired pay on that account, and that man only had five days' service, I think, in the Academy at that.

Mr. CLARK of Missouri. I would like to ask one more question for information. Is there any retired list already created out of the Revenue-Cutter Service?

Mr. TAWNEY. Yes; the Fifty-sixth or Fifty-seventh Congress enacted a law creating a retired list in the Revenue-Cutter Service, since which time officers in the Revenue-Cutter Service have been retired.

Mr. CLARK of Missouri. Already got them on the list?

Mr. TAWNEY. Yes; on the list under the law passed in the Fifty-seventh Congress.

Mr. JOHNSON of South Carolina. If the gentleman from Missouri will let me interrupt—

Mr. CLARK of Missouri. Certainly.

Mr. JOHNSON of South Carolina. I want to call the gentleman's attention to the fact that in the Fifty-seventh Congress we passed a law placing officers in the Revenue-Cutter Service on the retired list, and a few days ago we passed a law here placing the enlisted men of the Revenue-Cutter Service on the retired list.

Mr. CLARK of Missouri. I voted against both of them.

Mr. JOHNSON of South Carolina. I did all I could the other day against that bill making this pension roll, but I did not get much help.

Mr. GAINES of Tennessee. Mr. Chairman, I move to strike out the last word for the purpose of making an inquiry. I notice, on page 2 of the report, that the committee say that the appropriation of \$50,000 for the transportation of silver coin is omitted. Why do you do that?

Mr. TAWNEY. I think when that item is reached—

Mr. GAINES of Tennessee. I understand, but I want to know beforehand, so that I can be looking the matter over.

Mr. TAWNEY. I will answer the gentleman when we reach that item.

Mr. GAINES of Tennessee. I want to be forearmed as to what the reason is, so that I may be able to show that the reason is not valid.

Mr. TAWNEY. Our reasons are the same as they were at the last Congress.

Mr. KEIFER. We do not care to discuss this in advance.

Mr. TAWNEY. We will discuss it when the item is reached.

Mr. GAINES of Tennessee. I want to discuss it now. The gentleman does not give any reason in the report, but I know the reason—we are held up by the express trust. The Government and everybody else is being robbed, and it is an outrage.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Minnesota.

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

The Secretary of the Navy is hereby authorized to transfer the U. S. S. Vicksburg, with her outfits and armament, to the Treasury Department for the use of the Revenue-Cutter Service.

Mr. SULZER. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Page 15, after line 9, insert:

"That the sum of \$100,000, or so much thereof as may be necessary, is hereby appropriated, out of any money in the Treasury not otherwise appropriated, to settle any and all claims of the widows and orphans and survivors, specified in the report of the Secretary of Commerce and Labor, of the General Slocum disaster, which occurred in the East River, New York Harbor, on the 15th day of June, 1904, by the burning of said steamer General Slocum."

Mr. TAWNEY. Mr. Chairman, I make a point of order on that.

Mr. SULZER. I hope the gentleman will reserve the point of order.

Mr. TAWNEY. Very well; I will reserve it.

Mr. SULZER. Mr. Chairman, this amendment is offered by me in good faith. It is just, and should be adopted. You all know the sad story. The steamer *General Slocum*, an excursion boat, plying in the waters around New York Harbor, was burned to the water's edge on the 15th of June, 1904, and over 1,000 men, women, and children lost their lives in the terrible tragedy. The cause of the catastrophe was due largely to the criminal negligence of the Government inspectors. They failed to do their duty. The inspection they made was a farce. The life-preservers on the steamer were rotten. The fire apparatus was useless. The crew were raw deck hands, who were never drilled, and at the critical moment tried to save only themselves. When the fire broke out pandemonium reigned, and amid the tumult and the scorching flames hundreds and hundreds of helpless men, women, and children, caught like rats in a trap, were burned to a crisp on the ship, and hundreds and hundreds of others, just as helpless, were scorched and burned until, frantic, they threw themselves into the rushing waters only to be drowned. The horrors of that day will never be forgotten. It is too terrible a scene to contemplate even now. Fathers who were there lost their reason, and mothers, unable to save their children, went mad. The frightful scenes that ensued will never be effaced from the memory of this generation. It took strong men to write what they saw, and the horror-stricken country shrank from reading the sickening details.

The Government, Mr. Chairman, ordered an investigation. That is generally the case. That investigation dragged its slow length along for weeks and months, and the testimony and findings in the matter filled a good-sized book, with the contents of which many here are thoroughly familiar. It was ascertained by this Government investigation that the terrible loss of life of this lamentable tragedy could have been prevented, to a very large degree, if the officials of the Government charged with the responsibility of proper inspection had performed their duty in accordance with the law. It was proven conclusively that the life-preservers and the fire apparatus on board of the *General Slocum* were old and rotten and absolutely useless; and this fire apparatus and these life-preservers had only recently been inspected by the Government inspectors, who had passed them as being in compliance with the provisions of the statutes of the United States. The law had been flagrantly violated. The testimony proves conclusively that if these inspectors of the Government had done their duty and enforced the law, the frightful loss of life never could have occurred.

Now, sir, after the official investigation had conclusively demonstrated the criminal negligence of these Federal officials, some of whom were indicted, and some of whom have been

tried, and, I believe, others are yet to be tried, the Government dropped the case so far as any relief is concerned. The captain, however, of the steamer has been convicted and sentenced to a long term of imprisonment. But these prosecutions and these convictions can not bring back to life the dead; can not restore to the living the loss they have sustained in the death of their beloved relatives; and can not compensate the injured and the maimed and the deformed. They have no legal redress—only an equitable claim on the Government for relief. Their only hope of relief is by an act sending their cases to the Court of Claims, or an appropriation by Congress to pay them a sum of money in full settlement as proposed in this amendment.

Mr. GOLDFOGLE. Will my colleague permit an interruption?

Mr. SULZER. Certainly.

Mr. GOLDFOGLE. When the bill introduced by my colleague for the relief of the survivors of the *Slocum* disaster was in the Committee on Claims in a former Congress I actively supported the measure and sought to secure action by that committee. I labored hard in the committee to obtain a report which would bring the matter before the House, but the committee differed with me. I regret the Claims Committee will not report some measure which might eventually give some measure of relief to these unfortunate people.

Mr. SULZER. The gentleman is quite familiar with all the circumstances in the case. I know he did all he could to aid me to get some relief for these poor people. As he says, the Committee on Claims refused to report the bill in the last Congress. But I reintroduced the same bill in this Congress. It is now pending in the Committee on Claims, and if this amendment is beaten to-day, or goes out on a point of order, I shall continue the fight to get a favorable report on my bill now in the Committee on Claims, and I know my colleague, who is an influential member of that committee, will give me all the help he can. I shall fight this matter to the end. Justice must be done to the survivors of the *Slocum* disaster. Their cause is just, and sooner or later it will prevail.

Now, Mr. Chairman, I do not care to discuss all the details in the case at length; I have not the time at my disposal to do so. But on the 4th day of December, 1905, as soon after the calamity as possible, I introduced in Congress a bill for the relief of the *General Slocum* survivors. The bill was referred to the Committee on Claims. That bill provided that these cases be sent to the Court of Claims for adjudication. There was a long hearing before the Committee on Claims, and it was contended by members of the committee that there was no legal liability on the part of the Government; and if there was any responsibility on account of the negligence of these inspectors, it was an equitable claim against the Government and that the only way relief could be had for the poor widows and orphans was by an appropriation bill. Hence, after consultation on the 7th of February, 1908, I introduced a bill making an appropriation to settle these claims, which bill was referred to the Committee on Appropriations.

The Committee on Appropriations granted a hearing, but refused to report the bill. Now, I want to get the judgment of this House in regard to this matter. I offer this amendment to get a vote in this House—to find out who are for and who are against these people. These bills have been pending in this House for several years, and I have never been able to get the matter before the House—never been able to get a vote. There are hundreds of these poor little orphans and widows that are to-day objects of charity or supported by friends. They should be provided for in some way by the Government, and if this amendment offered by me is now adopted they will all be satisfied, and the agitation for governmental relief will cease and the case will be closed. The Government should look after these widows and orphans and survivors, because they were made widows and orphans by reason of the neglect of the Government officials. That was proved by the Government investigation held in the city of New-York. There is no other remedy save Government relief, and this amendment is just and should be adopted.

Mr. Chairman, perhaps this amendment is subject to a point of order on the ground that it is new legislation, but I hope that no gentleman on that side of the House will insist on the point of order. Give us a chance in the House to vote for or against this amendment on its merits. That is all I ask. I will say here that if this amendment is adopted these people will be satisfied, but if this amendment is stricken out on a point of order raised by the gentleman from Minnesota [Mr. Tawney] or some other Republican, then these people will be here at the doors of Congress, session in and session out, until relief is granted. I shall keep up the fight for justice until the battle

is won. Just remember what I now say. I hope the point of order will not be made, and that the gentleman will permit this question to be voted on in the House. Let us have a record vote. Let us find out who are for and who are against the unfortunate survivors of the *General Slocum* catastrophe—one of the great tragedies of the century—one of the most heart-rending events in all history. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. SMITH of Iowa. Mr. Chairman, I insist upon the point of order.

The CHAIRMAN. The Chair sustains the point of order.

The Clerk read as follows:

For wages of plate printers, at piece rates to be fixed by the Secretary of the Treasury, not to exceed the rates usually paid for such work, including the wages of printers' assistants, when employed, \$1,624,255, to be expended under the direction of the Secretary of the Treasury: *Provided*, That no portion of this sum shall be expended for printing United States notes or Treasury notes of larger denomination than those that may be canceled or retired, except in so far as such printing may be necessary in executing the requirements of the act "To define and fix the standard of value, to maintain the parity of all forms of money issued or coined by the United States, to refund the public debt, and for other purposes," approved March 14, 1900.

Mr. GAINES of Tennessee. Mr. Chairman, inasmuch as this paragraph refers to the cost of printing, and so forth, and to our paper moneys, I hope it will not be trenching too much upon the attention of this generous committee to read a bill, which I introduced in 1901, Fifty-seventh Congress, first session, numbered 3160, entitled,

A bill to exempt news paper and paper used in printing from tariff duties, and to amend the tariff laws.

It provides as follows:

Be it enacted, etc., That news paper and printing paper of every description intended to be used for printing newspapers, books, circulars, commercial blanks, notes, posters, labels, embracing and including all papers intended to be used as stock in newspaper or job printing offices, and all rags, jute, pulp, fiber, of every description, including all material intended to be used in the manufacture of paper herein described, shall be admitted at all the ports of the United States, when imported, free of duty; and the act approved July 24, 1897, entitled "An act to provide revenues for the Government and to encourage the industries of the United States," be amended to conform hereto.

Mr. Chairman, that bill I introduced in 1901. Of course a Republican House would not make it law. The Committee on Ways and Means did not then think enough of the proposition to report it. Of course we would not have had this paper trust about which we hear so much talk and complaint, nor the taxation of American intelligence, and so forth, by the paper trust if my bill had been made law. I am very glad to see the President come along six years after I introduced this bill, adopt the idea, and recommend it to Congress, and while on one side I rejoice at that, yet I regret very much to see that the President is in the minority with his own party, while the Democrats are a unit for this trust cure. Sooner or later I am satisfied that we will get relief under such a plan. I felt myself that it should have been done long, long ago, and I am glad to see so many—about sixty-eight Republicans—on that side who have come to the conclusion that there is real merit in the proposition which I suggested several years ago, and I think the first to do so.

The Clerk read as follows:

For postage stamps and foreign postal cards for the National Museum, \$500.

Mr. DALZELL. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

After line 4 on page 19 insert the following:

"Gallery of art: For the adaptation of the Smithsonian building to the purposes of an art gallery."

Mr. TAWNEY. Mr. Chairman, I reserve the point of order on that amendment.

Mr. DALZELL. Mr. Chairman, I had hoped that the Committee on Appropriations would not resist this amendment. The act of 1846 which incorporated the Smithsonian Institution contains this provision:

SEC. 5586. Whenever suitable arrangements can be made for their reception, all objects of art and of foreign and curious research and all objects of natural history, plants, and geological and mineralogical specimens belonging to the United States which may be in the city of Washington, in whosesoever custody they may be, shall be delivered to such persons as may be authorized by the Board of Regents to receive them and shall be so arranged and classified in the building erected for the institution as best to facilitate the examination and study of them.

And so forth.

In other words, it was the intention of Congress originally that the Smithsonian Institution should include within its functions provision for an art gallery, and from 1846, when this organic act was passed, down until the present time, year by year, Congress has made provision for the accumulation and

preservation and display of objects of art. Not very long ago, within two or three years, Harriet Lane Johnston provided in her will for the disposition of all her pictures, constituting somewhat of an art gallery. They were to be given to the National Art Gallery. The question as to whether or not there was a National Art Gallery was raised by the executors of the will, the Smithsonian Institution intervening, and it was decided by the court that such National Art Gallery did exist in the Smithsonian Institution. In other words, it held substantially as argued by counsel, as follows:

First. In founding the Smithsonian Institution it was the intention of the Government to provide for an art gallery.

Second. Congress had always recognized the art gallery, and made constant provision therefor in the legislation from 1846 to the present day. The debates and records and journals of Congress will furnish abundant recognition on the part of the Government of the National Art Gallery.

Third. The Smithsonian Institution has developed its art collection from a potential National Art Gallery into an actual one, with many collections exceedingly large and valuable, including the Morse, Gatlin, King, Capron, etc., collections. It is constantly growing, receiving only recently the valuable Freer collection.

Now, in point of fact this accumulation of pictures and other objects, not only of art, but objects of curiosity and mineralogical specimens of various kinds, have all been stored to the best advantage possible in the Smithsonian Institution and in the National Museum, which was erected adjacent to the Smithsonian Institution. Now, however, Congress has provided for a new building, for the construction of a great National Museum, which will be finished in the coming year. The purpose is to take all of these collections, except the art collections, over to that new National Museum, and what the Smithsonian Institution now would like to have done would be to have the upper hall of the Smithsonian building, which was originally intended for an art gallery, so provided with skylights that all this accumulation of works of art may be gathered together into that one gallery. Mr. Walcott, the Secretary, stated before the committee as follows:

There is another item in the estimates for making certain alterations or adaptations in the Smithsonian building, \$60,000. The Smithsonian building as originally planned was to have skylights over the central portion and to use that part of the building at least for fine art objects. With the completion of the new building, the natural history collections in the Smithsonian building and the present Museum building will be all transferred to the new building, making that a natural history museum; the old National Museum building will become a museum of fine arts, so as to classify and separate the material and get it systematically arranged. This estimate of \$60,000, as explained in submitting the estimate, is to adapt the central part of the Smithsonian building—that is, the upper portion, putting in skylights, certain partitions, and an elevator—it is quite inaccessible at the present time—and so arranging it that it can be used for art objects.

Now, the chairman said, "Could this work be deferred for a year without serious injury to the Institution?" And that brings me to this proposition, Mr. Chairman: The estimate for the National Museum for this year was \$200,000. The Secretary of the Smithsonian said that for the present year they could get along with \$50,000. That leaves \$150,000 that must be provided for next year. Why not provide the \$60,000 this year rather than provide \$60,000 next year in addition to the \$150,000 which will then have to be provided? Mr. Chairman, there has been an accumulation in this institution of pictures, works of art such as belong to an art gallery, to the value of \$1,200,000. It does seem to me that a fair and just regard for the dignity of this Institution, for the welfare of the city of Washington, demands that this mere bagatelle, this little sum of \$60,000, should be given, so as to put the Smithsonian building into the condition that was intended for it originally, and I do hope that the Committee on Appropriations, which has been fairly generous to the Smithsonian Institution in this appropriation bill—I do hope that that committee will not resist this amendment.

Mr. SMITH of Iowa. Mr. Chairman, it is important that we distinguish between the Smithsonian Institution acting as such in the execution of the Smithsonian trust and the Smithsonian Institution exercising special powers conferred upon it from time to time by Congress. This Institution was organized to administer the Smithsonian trust. The conferring of powers upon this Institution in the administration of that trust should constitute no basis for appropriations in the future from the Federal Treasury. From time to time after this Institution was created to administer the Smithsonian trust Congress, finding in this agency a valuable means for the transaction of certain governmental functions, has provided that they should be conducted under the Smithsonian Institution. Now, the provision that this Institution in the discharge of the Smithsonian trust shall or may do certain things does not constitute an authorization for an appropriation by Congress from the Treasury of the United States to carry out these objects. It does seem to me that the

original act cited by the gentleman from Pennsylvania throws no light upon whether it would be in order to appropriate this money now.

The CHAIRMAN. May the Chair ask the gentleman from Iowa whether or not in the original act any provision was made that at any time in the future the Smithsonian Institution should be used for the purpose of an art gallery, or any part thereof be set aside for that purpose?

Mr. SMITH of Iowa. The gentleman claims the language is broad enough for that purpose, but that was an authorization for the use of the Smithsonian trust fund, if it was an authorization at all, and not an authorization for the appropriation of money out of the Federal Treasury.

Mr. DALZELL. Will the gentleman allow me to interrupt him a moment?

Mr. SMITH of Iowa. Certainly.

Mr. DALZELL. To make myself clear, Mr. Chairman, I contend, first, that the organic act creating the Smithsonian Institution for the administration of this fund contemplated a national art gallery. I claim, in the second place, that the supreme court of the District of Columbia has decided, in a case in which that was the very question involved, that the art collection of the Smithsonian Institution did constitute the National Gallery of Art.

The CHAIRMAN. Will the gentleman from Pennsylvania [Mr. DALZELL] kindly send the decision to which he refers to the Chair, and also the original statute?

Mr. SMITH of Iowa. It was in reply to that contention that I suggested that even if the language could be so construed, and even if the court held that it should be construed, that it was an authorization for the expenditure of the Smithsonian trust fund that would not be an authorization for the expenditure of money from the Treasury of the United States.

Mr. DALZELL. I would say to the Chair that I have here an abstract from the Revised Statutes, which constitutes a part of the organic act. I find I have not the decree of the court, but I send to the Chair the argument in the case and say to him that the decree affirmed the claims set out in this argument.

Mr. SMITH of Iowa. Not only is it true that any authorization in the organic act was an authorization with reference to the use of the Smithsonian trust fund and not with reference to money in the Treasury of the United States, but the Smithsonian Institution building does not belong to the United States. It belongs to the Smithsonian Institution, the trustee of the Smithsonian trust fund. And there is no authority of law for appropriations from the Treasury of the United States for changes in or modifications of this building, which is a part of the Smithsonian trust fund as invested. There are no appropriations carried here in reality for the Smithsonian Institution at all. The appropriations that are carried are carried for the execution of certain governmental duties which have been intrusted to this Institution.

Mr. SULZER. What is now to prevent making a part of this building an art gallery? Is there anything in the law now to prevent that?

Mr. SMITH of Iowa. I did not understand the gentleman's question.

Mr. SULZER. What is there now to prevent a part of this Smithsonian Institution being set aside, if so desired, for an art gallery?

Mr. SMITH of Iowa. I will say to the gentleman that there is nothing that I know of to prevent it if the Smithsonian Institution sees fit to set it aside, but there is no authorization of law for Government money for the improvement of a building that does not belong to the Government of the United States and that we have got no right to control.

Mr. DALZELL. The Smithsonian Institution is undoubtedly a very unique one. It was incorporated in order to carry out the terms of the will of James Smithson, who left his money to the United States for an institution to be founded, the object of which was to be "the diffusion of knowledge among men." Now, while it is true that the United States is simply the trustee for the administration of that sum of money left by Mr. Smithson, the Smithsonian Institution is a United States institution. It is the agent by which the United States administers its trust. It is governed by a Board of Regents composed of fourteen members, three from the House, three from the Senate, the Vice-President, the Chief Justice of the United States, and six members chosen outside of Congress or the Government, but chosen by Congress.

Mr. GAINES of Tennessee. Mr. Chairman, are they made officers by statute, or is it under some other kind of provision?

Mr. DALZELL. They are made officers by the organic law—the statute. From time to time Congress has appropriated and

does appropriate for these various branches under the Smithsonian Institution. The National Museum, for instance.

Mr. SMITH of Iowa. The National Museum is intrusted to the Smithsonian Institution to operate.

Mr. DALZELL. Under the organic law it is provided that this art gallery is intrusted to the Smithsonian Institution. As I say, during all these years it has accumulated pictures amounting in value to \$1,200,000. The Smithsonian Institution has a building which the gentleman says does not belong to the Government of the United States. It is aided by the funds of the United States from time to time.

The CHAIRMAN. The Chairman would like to ask the gentleman from Iowa [Mr. SMITH] as to whether or not the Government of the United States in years gone by has been appropriating money for the Smithsonian Institution?

Mr. SMITH of Iowa. It has not. I deny that it has been appropriating money for the Smithsonian Institution.

The CHAIRMAN. At any time?

Mr. SMITH of Iowa. At any time.

Mr. GAINES of Tennessee. I would like to ask the gentleman a question.

The CHAIRMAN. Does the gentleman yield to the gentleman from Tennessee [Mr. GAINES]?

Mr. DALZELL. Will the Chair look at pages 17, 18, and 19 of the appropriation bill that is before him? Under the heading of "Under Smithsonian Institution" all of these various arms are referred to.

Mr. MANN. May I make a suggestion right there?

Mr. GAINES of Tennessee. I want to ask the gentleman from Pennsylvania a question, because I feel interested somewhat in the way he is. I have a good many requests asking me for the report of the Smithsonian Institution.

Mr. DALZELL. The report of the Smithsonian Institution is paid for and the publication is paid for out of the Federal Treasury.

Mr. GAINES of Tennessee. Why, of course it is.

Mr. DALZELL. Now, Mr. Chairman, it is a rather late day to claim that the Smithsonian Institution is not dependent upon the United States Congress every day for its support and maintenance.

Mr. MANN. Now, Mr. Chairman, like my distinguished friend from Pennsylvania, I have the honor to be one of the Regents of the Smithsonian Institution, but I can not quite agree with him as to the parliamentary status of the amendment. The Smithsonian Institution, as organized by the act of 1846, and by some subsequent legislation, is controlled by a Board of Regents. It expends its own money for its own purposes. Now, the act of Congress provided that the fund of Mr. Smithson was to be deposited in the Treasury of the United States and draw, I believe, 5 per cent interest up to \$1,000,000. It may have been 6 per cent, I am not sure.

Mr. SMITH of Iowa. Six per cent.

Mr. MANN. So that it has a fund in the Treasury of a little less than \$1,000,000 upon which it draws interest and owns some property bearing interest in addition to this fund. The Smithsonian Institution as an institution confines its expenditures to its own money. It expends no funds of the Government and controls none.

The CHAIRMAN. What fund was the building erected from?

Mr. MANN. As I understand it, it was constructed out of the funds.

Mr. SMITH of Iowa. It was constructed out of the interest.

Mr. MANN. As I understand, it was constructed out of the Smithsonian fund. It is maintained out of the Smithsonian fund.

The CHAIRMAN. The Chair thinks that is the principal point in this question—as to whether this building as originated was provided or builded out of a fund for that purpose, the funds of a private institution, or whether it was furnished by the Government; whether, in other words, it is a public building.

Mr. TAWNEY. If the gentleman from Illinois will allow me, I will read the act of 1846, approved August 10:

The fund arising from the bequest of said Smithson, amounting to \$515,169, authorized to be loaned to the United States Treasury, at 6 per cent per annum interest, from September 1, 1838, when the same was received into the Treasury; so much of the accrued interest to July 1, 1847, amounting to \$242,129, or so much thereof as the Board of Regents deem necessary, appropriated for the erection of suitable buildings and for other current incidental expenses; and the 6 per cent interest on the said trust fund (\$515,169) appropriated to be paid in half-yearly payments, on the 1st of January and the 1st of July in each year, for the perpetual maintenance and support of said institution.

So that amount, \$242,129 of interest received from this fund, was diverted to the construction of the building.

Mr. PARSONS. Will the gentleman allow me to ask him a question?

Mr. TAWNEY. Certainly.

Mr. PARSONS. Does the Government now pay 6 per cent interest on that Smithson fund?

Mr. TAWNEY. Yes, sir.

Mr. MANN. Up to a million dollars.

Mr. PARSONS. Then, is not that in effect an appropriation to the Smithsonian Institution far in excess of the cost?

Mr. TAWNEY. This was the contract entered into by the Government with those in charge of the Smithsonian fund. Under the act of 1846, approved August 10, \$242,129 of the \$515,169 of interest was appropriated for this building.

Mr. MANN. Mr. Chairman, I am unable to say, even after the reading of the appropriation, whether the building was constructed out of the fund of the Smithsonian Institution or out of a donation made by the Government. The building is maintained, as I understand it, out of the Smithsonian fund, and I had always supposed was constructed out of that fund. The fact that the appropriation bill and the current appropriation law carries other items for the Smithsonian Institution has nothing to do with the question, as I understand it, of the Smithsonian Institution funds themselves. The accounts are kept separate. The accounts of the Smithsonian Institution are not audited by the Department in Washington, while the appropriations are audited by the Government officials.

Mr. COOPER of Wisconsin. Will the gentleman permit a question?

Mr. MANN. Certainly.

Mr. COOPER of Wisconsin. That building is of stone, and constructed upon land belonging to the United States, and is a fixture. Is not the title to the building in the United States?

Mr. MANN. I am surprised that the gentleman does not know the difference between red brick and stone.

Mr. COOPER of Wisconsin. I thought it was stone.

Mr. MANN. No; it is very noticeable that it is brick.

Mr. COOPER of Wisconsin. It is not movable?

Mr. MANN. I hope it is not.

Mr. COOPER of Wisconsin. It is a permanent fixture, on land belonging to the United States.

Mr. MANN. I will say to the gentleman that I was mistaken as to the material out of which it is built. It is brown-stone.

Mr. COOPER of Wisconsin. I want to ask the gentleman from Illinois where the title to that building is, it being constructed on land belonging to the United States?

Mr. MANN. The title to the building is, I take it, in the Smithsonian Institution. The Smithsonian Institution has absolute control of the building under a contract with the Government.

Mr. COOPER of Wisconsin. It might have control of it, but not have the title.

Mr. MANN. I do not know where the title to the real estate is. The title to the building is in the Smithsonian Institution, I suppose.

Mr. DALZELL. I do not see how it could have got there. The Government is the administrator of the trust, under the will of Mr. Smithson, and the means by which the Government administers the trust is the Smithsonian Institution.

Mr. MANN. Oh, well, the will of Mr. Smithson provided that Congress should by law, which was enacted, provide for its disposition, and that became a contract.

The CHAIRMAN. The Chair will state that section 5588 undoubtedly determines that proposition.

Mr. FITZGERALD. It puts the title in the Smithsonian Institution.

The CHAIRMAN. It says:

The site and lands selected for buildings for the Smithsonian Institution shall be deemed appropriated to the institution, and the record of the description of such site and lands, or a copy thereof, certified by the chancellor and secretary of the Board of Regents, shall be received as evidence in all courts of the extent and boundaries of the lands appropriated to the institution.

So that the title is evidently in the institution.

Mr. MANN. I have no doubt of that, Mr. Chairman, because the Smithsonian Institution is treated at the meetings of the Board of Regents as entirely separate from the organizations which are placed under the control of the Smithsonian Institution by the appropriations of Congress.

Mr. FITZGERALD. Mr. Chairman, I wish to call the attention of the Chair to section 5590 of the Revised Statutes, which expressly covers the point at issue. The Chair will find it on page 1080. Section 5590 reads as follows:

So much of the property of James Smithson as has been received in money and paid into the Treasury of the United States, being the sum of \$541,379.63, shall be lent to the United States Treasury, at 6 per cent per annum interest; and 6 per cent interest on the trust fund and residuary legacy received into the United States Treasury, payable in half-yearly payments, on the 1st of January and July in each year, is hereby appropriated for the perpetual maintenance and support of the Smithsonian Institution; and all expenditures and appropriations

to be made, from time to time, to the purposes of the institution shall be exclusively from the accruing interest, and not from the principal of the fund.

Mr. TAWNEY. If the gentleman from New York will permit me, I have here the testimony taken before the Committee on Appropriations two years ago, when this subject was under consideration before the committee. I read from the statement of Mr. Adler. Mr. Sullivan, who was then a Member of Congress from Massachusetts, said:

Let me ask a question about the \$515,000. How long was it allowed to accumulate without any expenditure being made?

Mr. ADLER. The fund actually came into the possession of the United States in 1838, and the expenditures, except for legal expenses which were authorized by Congress, did not begin until 1846.

Mr. SULLIVAN. Then there were accumulations for eleven years before any expenditures were made?

Mr. ADLER. And the accumulated fund was added to the original fund.

Mr. SULLIVAN. Have the expenditures from the fund been constant ever since?

Mr. ADLER. Oh, yes; except that there were savings, which went into the brownstone building which was built out of the income.

That is the statement of the gentleman who was, I believe, the acting secretary in charge of the Smithsonian Institution two years ago.

Mr. SHERLEY rose.

The CHAIRMAN. Does the gentleman from Kentucky desire to be heard on the point of order?

Mr. SHERLEY. I do not; but I desire to speak to the merits. I understood the point of order was reserved.

The CHAIRMAN. The Chair recognizes the gentleman from Kentucky.

Mr. SHERLEY. As I just stated, I shall not attempt to discuss the question whether the amendment is in order, but will speak to its merits. I am heartily in favor of such an undertaking and such legislation. I believe that we should establish in Washington a national art gallery, properly house it, and properly care for it, and I hope that the time will come in America when our artistic instinct will be sufficiently developed to cause the repeal of the duty that now exists upon paintings and objects of art. [Applause on the Democratic side.] To my mind there has never been a more absurd extension of the protective principle than the extending of it to works of art. There is to-day a duty of 20 per cent upon oil paintings, statuary, and other works of art. Now, there can be no possible excuse for such a law.

Mr. UNDERWOOD. Will the gentleman allow an interruption?

Mr. SHERLEY. Certainly.

Mr. UNDERWOOD. If the gentleman will allow me to correct him, it is only 15 per cent, and it only applies to private collections. If they were owned by the Government, they would come in free.

Mr. SHERLEY. The gentleman is mistaken, I think. The tariff act reads:

Painting in oils or water colors, pastels, pen-and-ink drawings, statuary not specially provided for in this act, 20 per cent ad valorem.

Mr. UNDERWOOD. Is that the Dingley bill?

Mr. SHERLEY. That is the Dingley bill.

Mr. UNDERWOOD. I think there has been an amendment since, because the present law, I am quite sure, is only 15 per cent.

Mr. SHERLEY. Well, Mr. Chairman, whether there be an amendment that would permit the Government to bring in works of art free or not, there ought to be absolutely no restrictions upon any citizen bringing in such objects of art. No artist who has the slightest claim to consideration needs legislation to protect his genius, and no amount of legislation can ever protect a man against competition of brain. Not only is that true—

Mr. WILLIAMS. Let me suggest to the gentleman that most of the great galleries are provided for by donations from private individuals who first buy and then by will give to public collections, or donate them during their lifetime.

Mr. SHERLEY. That is true. As I was saying, there can be no justification for this law on the ground of protecting the American artist. No American artist worthy of the name has ever asked for such protection. There can be no justification of it on the ground that you are taxing a luxury, because art is not a luxury and should never be treated as such.

I want to see it possible to bring from all parts of the world objects of art, great paintings, those that represent the work of the old masters, as well as those of the modern school, and see them housed, as far as possible, in one great museum of art, and I want to see that museum of art open to the public—and while I am speaking of that I would like to add that I hope when that happens that that museum will be open on Sundays as well as on week days, that the poor of the city of

Washington, that the people who work and labor through the week, may have an opportunity to view it. When that is done, we will find an improvement in the public taste of America, we will find a development of national character, of national art, that will ten times over justify any expenditure that may be necessary. I for one would like to see the amendment offered by the gentleman from Pennsylvania prevail. If it is not in order, I would like to see the point not made in order that legislation may be had. I join in the statement made by the gentleman from Pennsylvania and trust that the chairman of the committee will not feel it necessary to insist on his point of order. [Applause.]

Mr. FITZGERALD. Mr. Chairman, I wish to be heard on the point of order. The Smithsonian Institution is an institution chartered under an act of Congress for a specific purpose. The charter of the Institution is found in the Revised Statutes, sections 5579 to 5594. The provisions of the statute set forth the character of the governing body, the manner in which its members shall be selected, and certain restrictions upon their power. In order that there might be no question as to where the title to the property rested, the charter specifically prescribes that the land selected for the building shall be deemed the property of the Institution. The land was donated by the Government to the Institution, and the Institution erected the building out of its endowment.

It is no more a public work in the meaning of the rule than the Columbian Hospital in the city of Washington, under the charter of which Congress is entitled to representation in its board of directors; and in addition to the Columbian Hospital there are several other institutions under whose peculiar charters Congress is entitled to have representation on the governing boards. This is a corporation created by Congress for the purpose of carrying out a specific work. The title to the land is not in the United States. By the act incorporating the Institution it has been vested in the Institution itself. Even if the Congress has appropriated money to erect buildings upon land in the possession of and belonging to the Institution, under the well-recognized rules of law the buildings belong to the Institution which has title to the land.

If the reasoning that is urged were to be followed, then every time Congress incorporated any kind of an institution with a quasi public function it would be in order, under the rules, to appropriate money to improve buildings erected thereon, either erected originally by the Government and donated, or erected out of funds belonging to the particular institution. This act discloses that the United States, in order to make effective the provisions of James Smithson's will, incorporated an institution theretofore unknown and took various safeguards to protect the endowment of the Institution. I submit, however, that the Institution can not in any sense be considered as a part of the Government or its endowment or buildings part of the Government property.

Mr. PARSONS. How, then, does the gentleman explain the decision of the court in the case referred to by the gentleman from Pennsylvania [Mr. DALZELL], to the effect that the Smithsonian Institution is a national gallery of art?

Mr. FITZGERALD. I was not present when the gentleman referred to that decision.

Mr. DALZELL. Mrs. Harriet Lane Johnston by her will provided that her art collection should go to the National Gallery of Art, if it were established in Washington. The executors and the United States and the Smithsonian Institution, all parties to a suit in, I think, the supreme court of the District, but I am not certain as to the title of the court, raised the direct question—

Mr. PARSONS. Was the United States a party?

Mr. DALZELL. I think so—raised the direct question of whether or not the Smithsonian Institution or the National Gallery of Art in the Smithsonian Institution was entitled to take these pictures under the will. The court decided that it was, and decided it was established by the act of 1846, the organic act, which I have read to the Chair.

The CHAIRMAN. The Chair would like to ask the gentleman from Pennsylvania a question. There seems to be a confusion of terms. What does the gentleman from Pennsylvania understand by the National Gallery of Art—the buildings or the collection of art?

Mr. DALZELL. I mean the collection of art.

The CHAIRMAN. Separate and apart from any building? Then it is a national collection of art in the view of the gentleman.

Mr. DALZELL. No; it is not a national collection of art, separate and apart from any connection with the Smithsonian Institution, because it has been gathered by the Smithsonian Institution and given to the Smithsonian Institution by reason

of the mandate of the organic act, which authorized the Smithsonian Institution to take just such things, and the Chair will recollect that when the United States accepted this trust and created the Smithsonian Institution as its agent to administer the trust, the very first act that it did was to appropriate to the Smithsonian Institution for the purpose of the trust the very valuable ground on which the building is erected.

Mr. FITZGERALD. Mr. Chairman, in reply to the gentleman, I desire to call his attention to the language of section 5586 of the Revised Statutes. The question that was raised in the case referred to by the gentleman, I suppose, was whether a certain institution already in existence would be entitled to receive an art collection under a name designated, but not in common use by the institution. At the time the case arose there was only one institution in Washington—

Mr. MANN. There was no such question about the name in that case. The term "National Gallery of Art" is a new term wholly, just coined.

Mr. FITZGERALD. I am using the expression used by the gentleman—whether this institution in Washington, the only existing institution that would in any way come within the terms of the will, was the institution that could receive the collection. Section 5586 of the Revised Statutes, which is part of the charter of the Smithsonian Institution, is as follows:

SEC. 5586. Whenever suitable arrangements can be made from time to time for their reception, all objects of art and of foreign and curious research, and all objects of natural history, plants, and geological and mineralogical specimens, belonging to the United States, which may be in the city of Washington, in whose custody they may be, shall be delivered to such persons as may be authorized by the Board of Regents to receive them, and shall be so arranged and classified in the building erected for the Institution as best to facilitate the examination and study of them; and whenever new specimens in natural history, geology, or mineralogy are obtained for the Museum of the Institution, by exchanges of duplicate specimens, which the regents may in their discretion make, or by donation, which they may receive, or otherwise, the Regents shall cause such new specimens to be appropriately classed and arranged. The minerals, books, manuscripts, and other property of James Smithson, which have been received by the Government of the United States, shall be preserved separate and apart from other property of the Institution.

While I have not read the case, I have no doubt the question arose whether under this charter this particular institution was the institution intended in the will, and whether under this provision of its charter it had the power to accept such a collection. It would not in any way, however, decide that the Smithsonian Institution was a part of the United States or that its possessions were part of the property of the United States.

Mr. DALZELL. The Smithsonian fund was not given to the Smithsonian Institution; the Smithsonian fund was given to the United States and belongs to the United States.

Mr. SMITH of Iowa. Only as trustee.

Mr. DALZELL. It was certainly given to the United States for a particular purpose, and it belongs to the United States. The Smithsonian Institution is only the agent created by the United States to administer the fund.

Mr. FITZGERALD. It was given to the United States upon the express condition that an institution should be established at Washington for the diffusion of knowledge. Let me read from the preamble. Title 73, Revised Statutes, which is the charter of the Smithsonian Institution, says—this is the preamble of the will which is incorporated into the statutes:

James Smithson, esq., London, in the Kingdom of Great Britain, having by his last will and testament given the whole of his property to the United States to found at Washington, under the name of the "Smithsonian Institution," an establishment for the increase and diffusion of knowledge among men.

It was given upon an express trust, and the United States, by enacting this charter and establishing the Institution, has carried out the trust.

Mr. COOPER of Wisconsin. Will the gentleman permit a question?

Mr. FITZGERALD. Yes.

Mr. COOPER of Wisconsin. Suppose the Smithsonian Institution should erect a new building in a new location and move the collections into it. Then would the land on which the new buildings were erected belong to the Smithsonian Institution; and if so, where would the title to the old land belong?

Mr. FITZGERALD. Well, this act provides that the land selected for the buildings—

Mr. COOPER of Wisconsin. Exactly.

Mr. FITZGERALD. That that land originally belonging to the Government shall be deemed appropriated to the Institution. Now, let me suggest this to the gentleman. If any corporation bought land and put up a building on it, to whom does the gentleman think the building and the land would belong?

Mr. COOPER of Wisconsin. No; but the point is this, whether it has absolute title to the present location, or a title not absolute, one which it could not convey if the Institution were to erect a new building elsewhere.

Mr. PARSONS. But—

Mr. COOPER of Wisconsin. The gentleman from New York will permit me to suggest that in declaring that certain land shall be deemed to be "appropriated," this law does not use the language ordinarily employed in conveying title in fee, not at all. If this "appropriation" of land conveyed an absolute title in fee to the Smithsonian Institution, that is one thing. But if the language means only that the land is appropriated to the Institution for the purpose of the Institution, together with the exclusive right to possess and control it while used for such purpose, that is another thing. If a new building should be constructed for the Institution, a larger and better one, then the title to the site on which the new building might be constructed would under this statute be "appropriated" to the Institution, would it not? But would the Institution still continue to hold the title in fee to the old site?

Mr. FITZGERALD. I think it would under the act; I think it would. I have read the statute, and I believe it would. Now, I do not know what—

Mr. COOPER of Wisconsin. I do not think that is the intent of the statute. I think by using the word "appropriate" it appropriated the site to the Institution for the purposes of the Institution so long as the land should be so used, but did not give it the absolute fee to sell or dispose of if the Institution should move to a new place. Unless the fee is given it is not the absolute owner, and the United States has still an interest in the title.

The CHAIRMAN. The Chair is satisfied on this point.

Mr. TAWNEY. Mr. Chairman, before ruling I wish to make one statement, not especially on the point of order, but in answer to the criticism of the gentleman from Pennsylvania against the committee for not having incorporated this estimate in this bill. The proposition is to appropriate money from the Treasury of the United States for a practical remodeling of a building that does not belong to the United States, for the purpose of converting that building into a national gallery of art. Now, there may be sufficient space in this building to accommodate all of the gifts which the Smithsonian Institution receives or has received. This remodeled building may be used for the purpose intended without destroying the architectural symmetry of the building or its usefulness for the purposes for which it was originally constructed; but in any event, the building belonging to the Smithsonian Institution exclusively and not to the United States, the committee did not feel warranted in making an appropriation for the remodeling of the building for a national gallery of art. The committee would much rather have appropriated a sufficient amount of money, if it is deemed wise to have the gallery of arts for that specific purpose, allowing it to be owned and controlled by the Government of the United States as it may see fit. But further than that, one of the branches of the Smithsonian Institution, the National Museum, is in a state of transition. That branch will soon be moved from the old National Museum over to the new building, and whether or not they will be able to vacate enough space in the Smithsonian building to accommodate the National Gallery of Arts, if it is decided by the Smithsonian to locate it there, is not yet known definitely, and can not be known until the National Museum is completed and the various departments in the Smithsonian building that belongs to the National Museum have been moved over into the new building. Now, in view of these facts the committee felt there was a practical objection to our giving favorable consideration to this proposition at this time.

The statement made by the gentleman from Pennsylvania [Mr. DALZELL] is that, in view of the fact that we have appropriated \$180,000 less for furnishing the new National Museum than was asked for by the officers of the Smithsonian Institution, therefore we ought to have been more liberal and we ought to have allowed this \$60,000. Now, Mr. Chairman, the reduction in that estimate was made with the consent of the officers of the Smithsonian Institution themselves. They conceded it was possible for them to determine how much they would need to furnish the National Museum until they had occupied it or were about ready to occupy it, and that much of the furniture would have to be made specially for it, and with \$20,000 they could get along very well. By next fall they would know more definitely how much was needed for that purpose. So there is nothing in the statement that because they reduced their estimate to that extent for furnishing the National Museum they ought to have the \$60,000 for this National Gallery of Arts.

Mr. GAINES of Tennessee. Does the gentleman contend that this institution is not a public institution? Is that the point of his contention? If it is, I want to ask him a question.

Mr. TAWNEY. The building belongs to the Smithsonian Institution, which is a corporation created by an act of Congress. I will let the gentleman from Tennessee determine for himself

whether it is a private institution or a public institution. It is not an institution, however, that belongs to the United States. The building was constructed out of the trust fund given to the United States for this specific trust.

Mr. GAINES of Tennessee. Now, the President—not Mr. Roosevelt, nor Mr. McKinley, nor Mr. Cleveland, nor, if you please, Mr. Taft or Mr. Bryan, should either of the latter two be President—but the President is one of the officers by the statute. Now, can the President of the United States administer a private establishment as President?

Mr. MANN. The President is merely an honorary officer and has nothing to do with the conduct of its business.

Mr. GAINES of Tennessee. The Vice-President, the Secretary of State, the Secretary of the Treasury, the Secretary of War, and so forth—

Mr. MANN. They are not members of the Board of Regents that control the Institution.

Mr. TAWNEY. The control of the Institution is under the Board of Regents, and I have never before heard anyone claim that the President had anything whatever to do with the practical management of the Smithsonian Institution.

Mr. GAINES of Tennessee. I may be able to help elucidate the matter.

The CHAIRMAN. The Chair is ready to rule on the proposition.

Mr. GAINES of Tennessee. I simply want to say this: That I contend it is a public institution and that Congress administers it; that everything must be reported, by the very words of the law, to Congress. The very last paragraph of the act requires that the President, as President, and the various other officers that I have named, as such officers, are officers to administer the corporation, and that the President, as President, and those officers, as officers, can not administer a private trust, and therefore it is a public institution and contemplated by Congress as being a public institution. Now, the gentleman said just now that the President had nothing to do with it. Let us see. Section 5585 reads:

SEC. 5585. The members and honorary members of the Institution may hold stated and special meetings, for the supervision of the affairs of the Institution and the advice and instruction of the Board of Regents, to be called in the manner provided for in the by-laws of the Institution, at which the President, and in his absence the Vice-President, shall preside.

Now, then, another section, section 5579—

Mr. MANN. The section which the gentleman reads refers to them as honorary members.

Mr. GAINES of Tennessee. Section 5579 distinctly states:

SEC. 5579. The President, the Vice-President, the Secretary of State, the Secretary of the Treasury, the Secretary of War, the Secretary of the Navy, the Postmaster-General, the Attorney-General, the Chief Justice, the Commissioner of the Patent Office, and the governor of the District of Columbia, and such other persons as they may elect honorary members, are hereby constituted an establishment, by the name of the "Smithsonian Institution," for the increase and diffusion of knowledge among men; and by that name shall be known and have perpetual succession, with the powers, limitations, and restrictions hereinafter contained, and no other.

Now, Mr. Chairman, when President McKinley was President he was an officer; when Mr. Roosevelt became President he became an officer; and when his successor becomes President he will become one of the officers. Now, how in the world can the President of the United States, as President, be one of the officers of a private institution? His powers are defined by the Constitution, except such as are given him by law of Congress. Congress has made him an officer. Has Congress the power to make the President, as such, an officer of a private institution?

The CHAIRMAN. The amendment proposed by the gentleman from Pennsylvania is as follows:

Insert after line 4, page 19:

"Gallery of Arts: For the adaption of the Smithsonian Institution building for the purposes of an art gallery."

The Chair thinks the amendment is subject to the point of order. Whether the Smithsonian Institution be a public institution, a private institution, or a quasi-public institution, it is quite sure that neither the building of the Smithsonian Institution nor the ground on which that building rests belongs to or is the property of the United States. It is quite true that this is an institution authorized by the United States, and by acts of Congress, but that does not make it a Government building or a Government project. It is also true that section 5586 of the organic act recites:

Whenever suitable arrangements can be made for their reception, all objects of art—

And other things mentioned—

shall be delivered to such persons as may be authorized by the Board of Regents to receive them, and shall be so arranged and classified in the building erected for the Institution as best to facilitate the examination and study of them.

That refers, not to the building, but to the collection of art. Now, the proposition of the gentleman from Pennsylvania is to change the building. The Chair thinks that it is not "a work in progress," and therefore is subject to the point of order.

It is quite true that the supreme court of this District rendered a decision, which the Chair has not had an opportunity to examine fully, but from a cursory examination it appears that this decision has reference to the National Art Gallery, or collection of art, and not to the building itself. The court finds:

First. In founding the Smithsonian Institution it was the intention of the Government to provide for an art gallery.

The Government might provide for an art gallery and yet not provide for a building in which to place the art gallery.

Second. Congress has always recognized the art gallery and made constant provision therefor in the legislation from 1846 to the present day. The debates and journals and records of Congress will furnish abundant recognition on the part of the Government of the National Art Gallery.

The Chair has no doubt on the proposition that that does not refer to the building, but to the art gallery. It is quite separate and apart from the building or grounds. The same may be said of the other point made in this decision. The Chair thinks this is a proposition to change a building which does not belong to the Government, and is not, therefore, "a work in progress," and is subject to the point of order. The Chair therefore sustains the point of order.

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. POLLARD having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. CROCKETT, its reading clerk, announced that the Senate had passed, with amendments, the bill (H. R. 16268) making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June 30, 1909, and for other purposes.

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House of Representatives was requested:

S. 6600. An act authorizing the St. Louis, Brownsville and Mexico Railway Company to construct bridges across the Rio Grande at some point at or near the town of Brownsville, in Cameron County, Tex.;

S. 6572. An act to authorize the Ruston, Natchitoches and Northeastern Railroad Company to construct a bridge across Bayou D'Arbonne, in Louisiana;

S. 6540. An act to authorize the Copper River Railway Company to construct two bridges across the Copper River, in the district of Alaska;

S. 6487. An act to govern seagoing barges;

S. 6458. An act to authorize the Yellowstone Valley Steel Bridge Company to construct a bridge across the Missouri River in Montana; and

S. 2932. An act providing for the appointment of an assistant treasurer of the United States at the city of Seattle, in the State of Washington.

SENATE BILLS REFERRED.

Under clause 2, Rule XXIV, Senate bills of the following titles were taken from the Speaker's table and referred to their appropriate committees, as indicated below:

S. 2932. An act providing for the appointment of an assistant treasurer of the United States at the city of Seattle, in the State of Washington—to the Committee on Ways and Means.

S. 6458. An act to authorize the Yellowstone Valley Steel Bridge Company to construct a bridge across the Missouri River in Montana—to the Committee on Interstate and Foreign Commerce.

S. 6487. An act to govern seagoing barges—to the Committee on the Merchant Marine and Fisheries.

S. 6572. An act to authorize the Ruston, Natchitoches and Northeastern Railroad Company to construct a bridge across Bayou D'Arbonne, in Louisiana—to the Committee on Interstate and Foreign Commerce.

SUNDRY CIVIL APPROPRIATION BILL.

The committee resumed its session.

The Clerk read as follows:

To further enable the Interstate Commerce Commission to enforce compliance with section 20 of the act to regulate commerce, as amended by the act approved June 29, 1906, including the employment of necessary special agents or examiners, \$50,000.

Mr. TOWNSEND. I desire at this place to offer an amendment by inserting, at the end of line 9, just before the word "fifty," the words "three hundred and," making it read "three hundred and fifty thousand."

Now, Mr. Chairman, I am going to ask that this paragraph, with the amendment pending, may be passed for the present.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 20, line 9, before the word "fifty," insert the words "three hundred and," so that it will read "\$350,000."

Mr. TAWNEY. I will reserve the point of order.

Mr. MANN. I would ask the gentleman to let this amendment, with the paragraph, go over, as several gentlemen take an interest in it.

Mr. TOWNSEND. I ask unanimous consent that this paragraph may be passed until I can present to the committee proof sufficient to show that it was not properly informed of the wants of the Department in reference to this matter when the committee itself reported on it.

Mr. TAWNEY. I will allow it to pass, but I do not think the gentleman can present anything to the committee which will change the judgment of the committee, because some of the committee have considered the matter fully. When does the gentleman want to take it up?

Mr. TOWNSEND. Preferably at the conclusion of the bill, but not earlier than to-morrow.

Mr. TAWNEY. I can not do that. I will agree that it be taken up to-morrow morning. I am prepared for the committee to present the reason for the recommendation the committee has made.

Mr. TOWNSEND. I want to state to the chairman, what he may undoubtedly know, this is the provision to which the President calls attention in his message. I have talked with the gentleman who is in charge of this work this morning, and have asked him to prepare for us a statement which I might present to-morrow morning, and I would not like to have it taken up until the House has it.

Mr. FITZGERALD. Why did not the gentleman that the gentleman refers to prepare a statement for the information of the committee? Why did he not give the committee the complete information that it is entitled to in the preparation of this item?

Mr. TOWNSEND. I will state to the gentleman that the explanation the one in charge made to me was that the Commission failed to fully present the matter to the Committee on Appropriations when the statements were made, and they probably assumed—I do not know whether there was any information before the committee or not—they assumed that the committee had full information, and that there would be a proper allowance for this special work provided for under section 20 of the act of 1906.

Mr. FITZGERALD. Let me ask the gentleman this question: When this gentleman stated that he thought there should be a proper allowance, did he believe that his judgment or the judgment of the committee and the House should control? In other words, which is proper, his judgment or our judgment?

Mr. TOWNSEND. I suppose he assumed that the usual course would be followed, and that the committee would rely to some extent at least on the judgment of gentlemen who had these matters specially in charge.

Mr. FITZGERALD. I will say to the gentleman from Michigan that so far as I am concerned, relying upon the information furnished to the committee, I have grave doubt as to the propriety of allowing even \$55,000 for this purpose.

Mr. MANN. Will the gentleman from Michigan yield? Is it the gentleman's point that the need of this money was not sufficiently presented to the Committee on Appropriations?

Mr. TOWNSEND. That is the point.

Mr. SHERLEY. In that connection does the gentleman know what evidence the committee had before it?

Mr. TOWNSEND. I do not, and that is why I am asking time.

Mr. SHERLEY. Does not the gentleman think it is rather unusual to state that the committee did not have sufficient information, when the gentleman has not read the hearings before the committee?

Mr. TOWNSEND. I make that statement on the authority of the gentlemen who came before the committee, who stated to me that they had not presented their needs with sufficient fullness.

Mr. SHERLEY. I will say to the gentleman from Michigan that they had ample opportunity, and took advantage of the opportunity to talk at great length in regard to the matter, as the hearings will disclose.

Mr. TOWNSEND. There was no reflection on the committee. The reflection was on themselves.

Mr. SMITH of Iowa. The gentleman who made the statement was not a member of the commission.

Mr. TOWNSEND. I know that; but he was the gentleman whom the commission has relied upon to do this work.

Mr. SMITH of Iowa. His superiors were before the committee, and testified fully on the subject.

Mr. TOWNSEND. I am not informed as to that. I am referring now to the publicity clause.

Mr. TAWNEY. I will say to the gentleman from Michigan and to the members of the committee that we will let this matter go over until we go into the Committee of the Whole to-morrow morning; but that the whole question involved here is one of policy, whether you are going to embark upon the policy of a general audit system for all the railroad companies of the United States, or whether you will adopt the other policy, the one recommended by the committee, of providing for them a sufficient force to make such examinations as are necessary for the purpose of determining whether or not the law is being complied with.

Mr. TOWNSEND. I shall be very glad to discuss the question with the gentleman before the House as to what the intention of this Congress was in the passage of section 20 of the interstate-commerce law.

Mr. TAWNEY. I would say that before adopting the policy we did, some of the principal members (with the exception of the gentleman from Michigan) of the Committee on Interstate and Foreign Commerce were conferred with and consulted as to what was the real intent of that act in respect to this subject. I ask the Clerk to read.

Mr. UNDERWOOD. I understand the gentleman from Michigan to ask unanimous consent that this go over.

The CHAIRMAN. The Chair so understands.

Mr. TAWNEY. I understood the gentleman from Michigan to ask unanimous consent that this paragraph be passed until the House resolves itself into Committee of the Whole to-morrow morning.

The CHAIRMAN. The gentleman from Michigan asks unanimous consent that lines 5 to 10, inclusive, on page 20, be passed without prejudice until to-morrow morning. Is there objection?

Mr. UNDERWOOD. I wish to say that if the time is fixed definitely I shall have no objection.

The CHAIRMAN. Until to-morrow morning.

Mr. UNDERWOOD. Immediately after the reading of the Journal?

Mr. TAWNEY. Immediately after we go into Committee of the Whole.

The CHAIRMAN. Is there objection?

There was no objection.

The Clerk read as follows:

To enable the Interstate Commerce Commission to keep informed regarding compliance with the "Act to promote the safety of employees and travelers upon railroads," approved March 2, 1893, and to execute and enforce the requirements of the said act, including the employment of inspectors, \$100,000. Hereafter all inspectors employed for the enforcement of said act shall also be required to make examination of the construction, adaptability, design, and condition of all mail cars used on any railroad in the United States and make report thereon, a copy of which report shall be transmitted to the Postmaster-General.

Mr. MANN. Mr. Chairman, I offer the following amendment. The Clerk read as follows:

Add a new paragraph after line 2, page 21, as follows:

"Hereafter the Interstate Commerce Commission shall be, and is hereby, authorized, at its discretion, to investigate, test experimentally, and report on the use and need of any appliances or systems intended to promote the safety of railway operation which may be furnished in completed shape to such Commission for such investigation and test entirely free of cost to the Government. For this purpose the Commission is authorized to employ persons familiar with the subject to be investigated and tested, and may also make use of its regular employees for such purpose."

Mr. TAWNEY. I want to ask the gentleman if the only material difference between that and the item in the bill is the authority to employ others for making the inspection?

Mr. MANN. As I read the provision in the bill—I suppose it was inadvertence in the preparation of it—it does not confer any authority at all. This is the situation: Under the general resolution that was passed a year or so ago, and under the provision of last year, the Interstate Commerce Commission is authorized to make investigation of the block-signal system and automatic appliances for the control of railway trains; and a number of different propositions have been presented to the Commission for investigation which did not come within the terms of that resolution and that appropriation. They desire, and I think the country desires, that they shall have the power where the appliance or scheme is presented to them free of cost to make an investigation of it if it relates to a safety device in any way whatever.

This amendment provides that these schemes for appliances shall be presented to the Commission free of cost to the Government, which would not be covered by the amendment in the bill.

Mr. PERKINS. What is the object of the examination that is to be made?

Mr. MANN. The object would be to report to Congress, I suppose, and I suppose, also, to pass upon the advisability or practicability of the various devices or appliances.

Mr. PERKINS. With a view to legislation or advertising the value of the device to be purchased by the railroad?

Mr. MANN. Both with a view to legislation and with a view to making a recommendation which might be acted upon by the railroads. It is perfectly patent that all the railroads of the country can not make experiments individually of all of the specific appliances which may be presented to them.

Mr. PERKINS. You give the Interstate Commerce Commission the authority to make the investigations, but it has to be made on some railroad.

Mr. MANN. Undoubtedly; in the same way they are now making experiments. They obtain permission of the railroad to make the experiment on that railroad.

Mr. PERKINS. And this would be free of all cost to the Government?

Mr. MANN. Free of all cost to the Government except for the Government officials who may watch the experiment.

Mr. ESCH. Will the gentleman yield?

Mr. MANN. Certainly.

Mr. ESCH. Under a resolution adopted in the last Congress \$50,000 was appropriated for the use of this train-control board. How much of that sum is still available?

Mr. MANN. I understand that the most of it is still available.

Mr. ESCH. Would your amendment cause additional expense to be paid out on that appropriation?

Mr. MANN. I propose to offer an amendment to the next paragraph, if this goes in, authorizing that fund to be used for both purposes.

Mr. ESCH. So your amendment will not entail any additional expenditure?

Mr. MANN. It will, but not any additional appropriation.

Mr. ESCH. That is what I mean.

Mr. UNDERWOOD. Mr. Chairman, I would like to ask the gentleman from Illinois whether his amendment is a substitute of what is in the bill or an additional paragraph?

Mr. MANN. It is put in as an additional paragraph, but I shall offer another amendment striking out that provision in the bill.

Mr. UNDERWOOD. I ask unanimous consent, Mr. Chairman, that the amendment may be again reported.

The CHAIRMAN. Without objection, the Clerk will again report the amendment.

The Clerk read the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois.

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

The unexpended balance of the appropriation to enable the Interstate Commerce Commission to investigate in regard to the use and necessity for block-signal systems and appliances for the automatic control of railway trains, also any other mechanical appliances intended to promote the safety of railway operation, including experimental tests, at the discretion of the Commission, of such of said signal systems and appliances only as may be furnished in connection with such investigation free of cost to the Government, in accordance with the provisions of the joint resolution approved June 30, 1906, is hereby reappropriated and made available for expenditure during the fiscal year ending June 30, 1909.

Mr. MANN. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Insert, after the word "nine," line 15, page 21, the following: "For the purposes named in this and the preceding paragraph."

Mr. MANN. Mr. Chairman, that would make the reappropriation of this money available for both of these purposes. Now, I would suggest to the gentleman from Minnesota that he have inserted in the item in the paragraph commencing with line 6 these words:

Also any other mechanical appliances intended to promote the safety of railway operations.

As it reads, that is a mere description of an appropriation heretofore made, and in view of the fact that we have covered that in the paragraph, would it not be advisable also to strike that out? There are no appropriations already made for that purpose.

Mr. TAWNEY. No. I think that would be true, if the gentleman is certain that his language provides for that additional authority to the Commission to investigate.

Mr. MANN. Oh, undoubtedly.

Mr. TAWNEY. Then I would suggest the striking of it out.

Mr. MANN. The question would be on this amendment first.

Mr. TAWNEY. Yes; if this amendment is adopted, then it should be further amended by striking that out.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois.

The question was taken, and the amendment was agreed to.

Mr. MANN. Then I propose a further amendment, Mr. Chairman, in line 6, to strike out the language to which I referred.

The CHAIRMAN. The gentleman from Illinois offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 21, lines 6, 7, and 8, strike out the following words:

"Also any other mechanical appliances intended to promote the safety of railway operations."

Mr. GAINES of Tennessee. Mr. Chairman, my information is, in a general way, that there are more accidents now than possibly in previous years. Is it a fact, and if it is a fact, why is it so, since we have been doing all that it seems we have been able to do heretofore to prevent accidents? I have asked the question quite often, and I want to get some information on the subject.

Mr. MANN. I will say to the gentleman that on some lines there has been an increase in railway accidents. The gentleman will understand that more than half of the accidents which occur and are reported are accidents to trespassers. Of course there are very few devices which we now have which will do away with these accidents except as we do away with grade crossings. Undoubtedly, also, while the safety air brakes have added vastly to the safety of travel, they have, to a certain extent, added to the danger of making up trains in yards, because those air brakes have to be coupled in addition to the coupling of the trains. Undoubtedly there are many things of that sort. I think, myself, on the whole, and I made quite an exhaustive report on the subject of the resolution a year or so ago in reference to accidents, that any increase is really owing to the increase in traffic. The gentleman will readily see that on a single-track road, when its business increases 50 per cent the danger increases more than 50 per cent.

Mr. GAINES of Tennessee. Then, the gentleman's information is that there are more accidents, even to the railroad employees with these devices than heretofore?

Mr. MANN. Oh, the number, of course, is undoubtedly greater.

Mr. GAINES of Tennessee. Can the gentleman tell me how much it costs to run the Interstate Commerce Commission?

Mr. MANN. I can not tell you. I think about \$750,000 a year.

Mr. MACON. I think it is right here, Mr. Chairman—\$935,000.

Mr. GAINES of Tennessee. How much has it increased under what is known as the "Hepburn law?"

Mr. MANN. That is a question which, if the gentleman is here to-morrow morning after we go into Committee of the Whole, he will probably hear discussed under the Townsend amendment. The Townsend amendment proposes to increase one item from \$50,000 to \$350,000.

The CHAIRMAN. The time of the gentleman has expired.

Mr. FITZGERALD. Mr. Chairman, I move to strike out the last word. In connection with the question of the gentleman from Tennessee [Mr. GAINES] I wish to call the attention of the gentleman from Illinois [Mr. MANN] to a report which appears in to-day's New York Sun, to the effect that the New Hampshire railway commission blames a railway wreck upon the Hepburn law—that is, the law prohibiting railway telegraphers from working more than a certain number of hours a day.

Mr. MANN. That is not in the Hepburn law, I may say to the distinguished gentleman from New York. That was a separate act passed in the last Congress.

Mr. FITZGERALD. I understand that. It is referred to as the Hepburn law. I forget who the author of the act was.

Mr. MANN. The original author was Mr. Murphy of Missouri.

Mr. FITZGERALD. This states that a railway commission in the State of New Hampshire attributes an accident to the fact that Congress passed a very necessary and beneficial act to prevent the employment of railway telegraphers for more than a certain number of hours.

Now, has the gentleman from Illinois any suspicion that the report can be accurate?

Mr. MANN. Oh, I suppose it might be at some place they only had one telegraph operator where before they had two—

Mr. FITZGERALD. No; here they say they had three instead of two.

Mr. MANN. It would be a great draft upon the imagination to make anyone think that to make men work eight hours a day was harder on them than it was to work twelve hours a day, and yet that would be true of the gentleman from New York and possibly true of myself.

Mr. FITZGERALD. I withdraw the pro forma amendment.

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

To enable the Secretary of the Treasury to refund money covered into Treasury as internal-revenue collections which under authority of law have heretofore been refunded or returned, \$30,000.

For miscellaneous expenses, internal-revenue service, additional to the sum appropriated therefor in the legislative, executive, and judicial appropriation act for the fiscal year 1909, \$15,000.

Mr. TAWNEY. Mr. Chairman, I desire to ask unanimous consent to offer an amendment to the paragraph just preceding the one which the Clerk has just read. My attention was not called to it at the moment.

The CHAIRMAN. Without objection, the amendment of the gentleman from Minnesota will be read.

There was no objection.

The Clerk read as follows:

Page 22, in line 3, strike out the word "have" and insert in lieu thereof the word "has."

Mr. TAWNEY. It is a mere verbal correction.

The CHAIRMAN. Without objection, the amendment will be agreed to.

There was no objection, and the amendment was agreed to.

The Clerk read as follows:

Punishment for violations of internal-revenue laws: For detecting and bringing to trial and punishment persons guilty of violating the internal-revenue laws or conniving at the same, including payments for information and detection of such violations, \$125,000; and the Commissioner of Internal Revenue shall make a detailed statement to Congress once in each year as to how he has expended this sum, and also a detailed statement of all miscellaneous expenditures in the Bureau of Internal Revenue for which appropriation is made in this act: *Provided*, That necessary books of reference and periodicals for the chemical laboratory and law library, at a cost not to exceed \$500, may be purchased out of the appropriation made for the fiscal year 1909 for salaries and expenses of agents and surveyors, fees and expenses of gaugers, salaries of storekeepers, and for miscellaneous expenses.

Mr. TAWNEY. Mr. Chairman, I have the following amendment to offer, and that is to strike out the proviso in this paragraph. In offering that amendment, I will state that this proviso was carried last year in the sundry civil bill. It belongs properly in the legislative bill and it has been so transferred and is now carried in that bill and was reprinted here by mistake.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Strike out lines 21 to 25, inclusive, on page 22 and lines 1 and 2 on page 23.

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

Transportation of fractional silver coin: For transportation of fractional silver coin, by registered mail or otherwise, \$60,000; and in expending this sum the Secretary of the Treasury is authorized and directed to transport from the Treasury or subtreasuries, free of charge, fractional silver coin when requested to do so: *Provided*, That an equal amount in coin or currency shall have been deposited in the Treasury or such subtreasuries by the applicant or applicants. And the Secretary of the Treasury shall report to Congress the cost arising under this appropriation.

Mr. KEIFER. Mr. Chairman, I offer an amendment to this paragraph, to strike out the word "fractional" in line 3, the word "fractional," in line 4, and the word "fractional," in line 8.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 23, lines 3, 4, and 8, strike out in each line the word "fractional."

Mr. SMITH of Iowa. Mr. Chairman, I desire to make the point of order against the proposed amendment on the ground that it is not authorized by existing law and changes existing law.

Mr. KEIFER. Mr. Chairman, that is the most curious point of order I have ever heard.

Mr. SMITH of Iowa. I am not to blame because it is curious to the gentleman from Ohio. [Laughter.]

Mr. KEIFER. The gentleman's suggestion is that we can not strike anything from the bill because it would change existing law; that is the point, because we might strike out the whole paragraph. This question has been put in other forms before—

Mr. SMITH of Iowa. Mr. Chairman, I would like to be heard on the point of order for a moment, if the Chair will permit. As a matter of fact, the operation of striking out "fractional" is to authorize the transportation of standard silver dollars, and consequently, while the gentleman states he is striking out something, he is in fact including something. Now, the operation of it is this. There is no general law authorizing the transportation of standard silver dollars. From time to time through a number of years appropriations were made authorizing that transportation to be made within the limits of the appropriation. The appropriation made in the bill of last year has been exhausted and the transportation of

standard silver dollars has wholly ceased. There is no appropriation, there is no current law upon the subject, because the appropriation has been exhausted and the Treasury Department some weeks since issued an order refusing to circulate standard silver dollars at Government expense. Therefore, to strike out the word "fractional" is to reinstate the transportation of the standard silver dollars, there being no law authorizing their free transportation now extant.

Mr. GAINES of Tennessee. Is there any law authorizing the transportation of fractional silver coin?

Mr. SMITH of Iowa. There is no law, but no point of order was made on this paragraph. Now, the proposition is not to move an amendment germane to the subject-matter, but an amendment to strike out words bringing an entirely new subject-matter into the section.

Mr. GAINES of Tennessee. No; my amendment will be for the purpose of making a good proposition a much better one; that is the purpose of the gentleman's amendment.

Mr. SMITH of Iowa. The gentleman a few moments ago said he was opposed to this proposition of the gentleman from Ohio [Mr. KEIFER], and that it was an express company steal.

Mr. GAINES of Tennessee. I am going to offer an amendment right here to create competition between the express companies, and the carrying of some of this coin by mail.

Mr. SMITH of Iowa. I suggest there is no provision of law for the transportation of standard silver dollars. When the appropriation is exhausted, and the authorization ceases, there is not any authority to appropriate money for the transportation of these standard silver dollars. I am not discussing the question now as to what would be the status of this amendment if there was a current appropriation, and for the time being an authorization to carry these standard silver dollars, but I insist when there is no law authorizing their transportation at Government expense, and whatever law has ever existed upon that subject was limited by the appropriation, and the appropriation for the current year has been exhausted and their transportation has absolutely ceased for weeks, that to rule an appropriation for their transportation is not in order upon this bill, and that under the guise of striking out certain words the gentleman from Ohio is including the doing of a work not authorized by existing law.

Mr. KEIFER. If I can have order a moment, I would like to see whether the gentleman from Iowa [Mr. SMITH] is right, either in fact or in his notions of parliamentary law. In the first place, he says there is no law authorizing the transportation of silver dollars. I remember that I made the fight day after day and night after night here before we got in an appropriation for the present fiscal year to carry free of charge silver dollars, and he has forgotten that in so short a time. What the gentleman meant to say, Mr. Chairman, was that we did so poorly in making that appropriation that we did not appropriate enough; that it was exhausted. This is the only ground for saying there is no law. The appropriation was exhausted last February, substantially, and completely exhausted on the 24th of March, and then suspended by order of the Secretary of the Treasury, with a deficiency under existing law yet to be met in the deficiency bill soon to be reported here. But the proposition of law that he makes as a parliamentary matter is still more remarkable. He says that there is no law for carrying fractional silver coin. He is right about that, possibly, but he says because nobody made a point of order against this provision that you dare not amend it at all in any way. The rule has been established, and there are numerous precedents. One is that if a point of order is not made against a provision of an appropriation bill that was subject to a point of order, you may then amend that, although a point of order would have been sustained against the whole of it. There is an abundance of such precedents if we choose to look them up. They are familiar to the Chair, no doubt. There does not now seem to be any reason why I should go into the question of existing law further. There has not been a time since 1881 up to the present time when there has not been a law authorizing the carriage of silver dollars by the Government free.

Mr. GAINES of Tennessee. Will the gentleman yield? Are there not some precedents also like this, that where an item has been carried in a bill for years and years, as in this case, it becomes a law and is not subject to a point of order?

Mr. KEIFER. Well, the point of order is that you can not amend a provision here by moving to strike a part of it out; that because somebody did not make the point of order against the whole of it it is not subject to amendment.

Mr. SMITH of Iowa. If the Chair is not ready to rule, I would like to set history straight a little with the gentleman from Ohio. As a matter of fact, the contest was made here a year ago about putting in an appropriation for this purpose.

It was defeated repeatedly in the House. In the Senate an amendment was put on carrying this appropriation, and in conference that was put at a sum which all history showed would carry on the work but a part of the year. It did carry it on but a part of the year. The appropriation was exhausted, and the Secretary of the Treasury ordered that no more coin be hauled at Government expense, and it is not being done.

Mr. KEIFER. Mr. Chairman, let me say that the provision of the bill and the act provided \$50,000 to carry silver dollars for the fiscal year—all of it and not a piece of it.

The CHAIRMAN. The Chair would ask the gentleman from Ohio [Mr. KEIFER] whether he claims there is any provision of law for carrying silver coin outside of that to be found in the current yearly appropriation bill?

Mr. KEIFER. I do not think so, neither as to the fractional silver nor as to silver dollars, but the transportation of silver is what we are proposing to provide for.

Mr. UNDERWOOD. Mr. Chairman, I think the point of order is not well taken for two reasons. In the first place, I think it would be entirely in order to offer this section as a provision in this bill, either by the committee or by a Member, so that it would read "for the transportation of silver coin." In the first place, it is to carry out a Government work. The Government is in the business of coining silver.

It is a part of the Government's business to make money for the people. To carry that money into circulation it is necessary to deliver it where the people can get it and use it. There is a large amount of the money of this country in the shape of coin—silver dollars. In order to maintain the circulation of that money it is necessary to pay the cost of the shipment of the silver dollars from the Treasury to the banks.

Now, as to whether it is wise or not to do that may be another question. But to-day, as the law is, we have a large amount of silver coin. In order to convey that coin to the people it has been customary for a number of years, in appropriation bills, to provide for the transportation of that coin from the mints to the banks. That is the existing law to-day. It does not make any difference whether the appropriation is exhausted or not. That is a matter that does not concern this question at all. The last bill carried an appropriation for the transportation of silver coin, and that will continue to be the law until the 1st day of July next. Therefore it is in order to propose an appropriation in this bill to carry out the same proposition. But more than that, Mr. Chairman, I do not think there can be any question about the proposition of amending this provision in the bill, even if this was the first time it had ever been offered. What is the object of the provision in the bill? What is the purpose? It is not, Mr. Chairman, to carry fractional silver coin alone. The purpose of the provision is to provide for the carrying of silver coin. It merely describes what has to be transported. Suppose that this provision provided for the transportation of silver half dollars. Would it not be in order, Mr. Chairman, to amend the provision by providing that it should carry silver quarters and silver dimes?

Well, if you can amend by providing that it shall carry silver quarters and silver dimes, why can you not also amend by saying "silver dollars?" Why, it is absolutely in line with the general intention of the paragraph, and is merely an amendment of the paragraph. If you brought in a provision, as was suggested the other day, and the argument was made by a gentleman on the other side—made by the gentleman who is now arguing the point of order against this proposition—that if you brought in a bill here providing for the purchase of a black horse it would be in order to strike out the word "black" and substitute "white;" or if you brought in a provision providing for the purchase of a white horse, it would be in order to strike out "white" and allow the appropriation to purchase any kind of a horse.

Now, the word "fractional" in this provision is merely descriptive of the kind of silver coin that you shall transport. It is merely descriptive of a class of silver coin, and it is perfectly in order to cover a different kind of coin described or an additional coin by changing the words in the provision.

Mr. BONYNGE. Mr. Chairman, I believe it is conceded the paragraph itself is subject to the point of order, and that if the point of order had been made it would have been sustained upon the ground that there is no existing law authorizing the appropriation of money for the transportation of coin, either fractional silver coin or silver dollars. The proposition, and the only proposition, therefore, Mr. Chairman, that is involved under our rules is, whether or not the amendment that has been proposed is germane to the paragraph; because under the rules if a paragraph is permitted by general consent to remain in a bill which is subject to a point of order, then it is in order for

any Member to offer an amendment that is germane to the subject of the paragraph. Consequently, all that is presented to the Chairman in this amendment is the question whether the amendment proposed is germane to the subject of the legislation in the paragraph. As the gentleman from Alabama [Mr. UNDERWOOD] has well said, the subject attempted to be covered by the paragraph is the transportation of silver coin—any kind of silver coin—and not simply fractional coin.

The word "fractional" is used, but that is merely a descriptive word. The subject of legislation is the transportation of silver coin. For instance, if the bill had provided for the transportation of 100,000 silver dollars, it certainly would have been in order to have inserted as an amendment 150,000 or 175,000. The word "fractional" is an adjective, describing the silver coin that is to be transported. The main object of the paragraph is to provide for the transportation of silver coin; that is, not only fractional silver coin, but any silver coin, shall be transported free. The committee has reported in favor of transporting free fractional silver coin, but the House, in its judgment, by amendment, may decide that not only fractional silver coin, but silver dollars, may be transported free; and therefore it seems to me that there can be no question about the germaneness of the amendment, and if the amendment be decided to be germane, then under the rules I submit it is in order.

The CHAIRMAN. The gentleman from Ohio moves to amend the paragraph by striking out the word "fractional" wherever it occurs. The gentleman from Iowa makes a point of order that, there being no law authorizing the transportation of silver coin, the amendment operates as a change of existing law. The Chair so thinks. The paragraph, however, it is conceded, was itself subject to a point of order; but no point of order having been made, it was subject to amendment, provided the amendment be germane. The question, then, is, What is a germane amendment? As the Chair understands the law, the carriage of coin, as, for example, standard silver dollars, and the carriage of fractional coin are two separate and distinct legislative propositions; and while any amendment would be germane which would perfect the carrying out of the paragraph, no amendment is in order, in the opinion of the Chair, which introduces a separate and distinct legislative proposition; and therefore the Chair thinks that the point of order should be sustained.

Mr. TAWNEY. Mr. Chairman, I move that the committee do now rise.

Mr. KEIFER. Mr. Chairman, I wish it to be understood that the paragraph is not passed. We will have further propositions to make with reference to it.

The CHAIRMAN. The paragraph is not passed until the next paragraph is read. The gentleman from Minnesota moves that the committee do now rise.

The question was taken, and the Chairman announced that the ayes seemed to have it.

Mr. WILLIAMS. Division!

The committee divided, and there were—ayes 62, noes 47.

So the motion of Mr. TAWNEY was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. DALZELL reported that the Committee of the Whole House on the state of the Union, having had under consideration the bill H. R. 21260, the sundry civil appropriation bill, had come to no resolution thereon.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. CROCKETT, its reading clerk, announced that the Senate had passed with amendments the bill (H. R. 20063) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1909, and for other purposes.

The message also announced that the Senate had passed without amendment bills of the following titles:

H. R. 15725. An act to relinquish, release, and confirm the title of certain lands in California to the Western Power Company.

H. R. 19463. An act granting pensions and increase of pensions to certain soldiers and sailors of the civil war and certain widows and dependent relatives of such soldiers and sailors.

ENROLLED BILL PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. WILSON of Illinois, from the Committee on Enrolled Bills, reported that on April 28 they had presented to the President of the United States, for his approval, the following bill:

H. R. 603. An act granting pensions and increase of pensions to certain soldiers and sailors of the civil war, and to certain widows and dependent relatives of such soldiers and sailors.

NAVAL APPROPRIATION BILL.

The SPEAKER laid before the House the bill H. R. 20471, the naval appropriation bill, with Senate amendments thereto. The Senate amendments were read.

The SPEAKER. The question is, Will the House disagree to said amendments en bloc and ask a conference with the Senate?

The question was taken, and the Speaker announced that the ayes seemed to have it.

Mr. WILLIAMS. Mr. Speaker, for fear a division might not be granted, I call for the yeas and nays.

Mr. BARTLETT of Georgia. Mr. Speaker, I desire to make a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. BARTLETT of Georgia. I desire to know, under the rule under which we are now acting, in case the negative vote on this proposition should be in the majority, whether that would not adopt these amendments en bloc?

The SPEAKER. It would agree to the amendments.

Mr. BARTLETT of Georgia. And pass the bill?

The SPEAKER. And pass the bill.

Mr. FITZGERALD. And help us to get home sooner.

The SPEAKER. The gentleman from Mississippi demands the yeas and nays.

The yeas and nays were ordered.

The question was taken, and there were—yeas 188, nays 43, answered "present" 7, not voting 149, as follows:

YEAS—188.

Adair	Ellerbe	Jenkins	Pollard
Ames	Ellis, Oreg.	Johnson, Ky.	Pray
Andrus	Englebright	Johnson, S. C.	Prince
Barchfeld	Esch	Jones, Va.	Rainey
Bartlett, Ga.	Finley	Jones, Wash.	Randell, Tex.
Beale, Pa.	Floyd	Kahn	Rauch
Bede	Focht	Keifer	Reeder
Bennet, N. Y.	Fordney	Keliber	Richardson
Birdsall	Foss	Kennedy, Iowa	Robinson
Bonyne	Foster, Ill.	Kinkaid	Rodenberg
Bradley	Foster, Ind.	Kitchin, Claude	Rothermel
Brownlow	Foulkrod	Knapp	Rucker
Brumm	Fowler	Knopf	Russell, Mo.
Brundidge	French	Knowland	Ryan
Burlingame	Gardner, Mich.	Kilstermann	Sabath
Burton, Ohio	Gardner, N. J.	Lafean	Saunders
Butler	Gilham	Lawrence	Scott
Caldwell	Goebel	Lindbergh	Sheppard
Capron	Goldfogle	Lorimer	Sherman
Carter	Goulden	Loudenslager	Sherwood
Caulfield	Graft	Lowden	Sims
Chaney	Graham	McCall	Smith, Cal.
Chapman	Granger	McGavin	Smith, Iowa
Clark, Mo.	Greene	McKinley, Ill.	Smith, Mo.
Clayton	Gronna	McKinney	Snapp
Cocks, N. Y.	Hackney	McLachlan, Cal.	Southwick
Cole	Hale	McLaughlin, Mich.	Stafford
Cook, Colo.	Hamilton, Iowa	McMorran	Steenerson
Cook, Pa.	Hamilton, Mich.	Macon	Sterling
Cooper, Pa.	Hamlin	Madden	Stevens, Minn.
Cooper, Tex.	Harding	Mann	Sturgiss
Cooper, Wis.	Hardy	Marshall	Sulloway
Cousins	Haskins	Maynard	Sulzer
Cox, Ind.	Hawley	Mondell	Tawney
Cravens	Hayes	Morse	Thistlewood
Crumppacker	Henry, Conn.	Mouser	Thomas, Ohio
Currier	Henry, Tex.	Murdoch	Tirrell
Dalzell	Higgins	Murphy	Tou Velle
Davis, Minn.	Hinshaw	Needham	Townsend
Dawson	Holliday	Nelson	Volstead
De Armond	Houston	Norris	Vreeland
Denver	Howell, N. J.	Nye	Waldo
Diekema	Howell, Utah	Padgett	Washburn
Dixon	Howland	Parker, S. Dak.	Watson
Draper	Huff	Payne	Weeks
Driscoll	Hull, Tenn.	Perkins	Wheeler
Dwight	Humphreys, Miss.		Wilson, Ill.

NAYS—43.

Aiken	Candler	Heflin	Patterson
Alexander, Mo.	Carlin	Helm	Russell, Tex.
Ansberry	Clark, Fla.	Hill, Miss.	Sherley
Ashbrook	Davenport	Kipp	Slayden
Bartlett, Nev.	Ferris	Lamar, Mo.	Splight
Beall, Tex.	Fitzgerald	Lee	Stephens, Tex.
Bell, Ga.	Flood	Lenahan	Thomas, N. C.
Booher	Fornes	Lindsay	Underwood
Brantley	Gaines, Tenn.	McHenry	Williams
Burleson	Garner	Nicholls	Wilson, Pa.
Burnett	Hackett	O'Connell	

ANSWERED "PRESENT"—7.

Adamson	Garrett	Kimball	Shackleford
Fulton	Howard	Lamb	

NOT VOTING—149.

Acheson	Bowers	Cary	Denby
Alexander, N. Y.	Boyd	Cockran	Douglas
Allen	Brodhead	Conner	Dunwell
Anthony	Broussard	Coudrey	Durey
Bannon	Burgess	Craig	Edwards, Ga.
Barclay	Burke	Crawford	Edwards, Ky.
Bartholdt	Burton, Del.	Cushman	Ellis, Mo.
Bates	Byrd	Darragh	Fairchild
Bennett, Ky.	Calder	Davey, La.	Fassett
Bingham	Calderhead	Davidson	Favrot
Boutell	Campbell	Dawes	Foster, Vt.

Fuller	Hull, Iowa	McKinlay, Cal.	Riordan
Gaines, W. Va.	Humphrey, Wash.	McLain	Roberts
Gardner, Mass.	Jackson	McMillan	Slomp
Gill	James, Addison D.	Madison	Small
Gillespie	James, Ollie M.	Malby	Smith, Mich.
Gillett	Kennedy, Ohio	Miller	Smith, Tex.
Glass	Kitchin, Wm. W.	Moon, Pa.	Sparkman
Godwin	Lamar, Fla.	Moore, Pa.	Sperry
Gordon	Landis	Moore, Tex.	Stanley
Gregg	Langley	Mudd	Talbott
Griggs	Lanier	Olcott	Taylor, Ala.
Haggett	Lassiter	Olmsted	Taylor, Ohio
Hall	Law	Overstreet	Wallace
Hamill	Leake	Page	Wanger
Hammond	Legare	Parker, N. J.	Watkins
Hardwick	Lever	Parsons	Webb
Harrison	Lewis	Pearse	Weems
Haugen	Lilley	Peters	Weisse
Hay	Littlefield	Porter	Wiley
Hepburn	Livingston	Pou	Willott
Hill, Conn.	Lloyd	Powers	Wolf
Hitchcock	Longworth	Pratt	Wood
Hobson	Loud	Pujo	Woodyard
Hubbard, Iowa	Lovering	Ransdell, La.	Young
Hubbard, W. Va.	McCreary	Reid	
Hughes, N. J.	McDermott	Reynolds	
Hughes, W. Va.	McGuire	Rhinock	

So the House voted to disagree to the Senate amendments and ask a conference with the Senate.

The following additional pairs were announced:

For the session:

Mr. WANGER with Mr. ADAMSON.

Until Friday:

Mr. PEARRE with Mr. TALBOTT.

Until further notice:

Mr. ANTHONY with Mr. BOWERS.

Mr. BARTHOLOLT with Mr. BRODHEAD.

Mr. BURTON of Delaware with Mr. BURGESS.

Mr. CALDER with Mr. BYRD.

Mr. CAMPBELL with Mr. FAVROT.

Mr. CONNER with Mr. GILL.

Mr. CUSHMAN with Mr. GREGG.

Mr. DARRAGH with Mr. HAMMOND.

Mr. HAUGEN with Mr. HARRISON.

Mr. HUBBARD of Iowa with Mr. HAY.

Mr. HULL of Iowa with Mr. HUGHES of New Jersey.

Mr. HUMPHREY of Washington with Mr. OLLIE M. JAMES.

Mr. LANDIS with Mr. LAMB.

Mr. LANGLEY with Mr. LASSITER.

Mr. LANING with Mr. LEAKE.

Mr. LITTLEFIELD with Mr. LEVER.

Mr. LONGWORTH with Mr. LLOYD.

Mr. LOUD with Mr. McDERMOTT.

Mr. LOVERING with Mr. McLAIN.

Mr. McGUIRE with Mr. PAGE.

Mr. McMILLAN with Mr. RANSDELL of Louisiana.

Mr. MADISON with Mr. REID.

Mr. MALBY with Mr. RHINOCK.

Mr. MILLER with Mr. RIORDAN.

Mr. MOON of Pennsylvania with Mr. SHACKLEFORD.

Mr. OVERSTREET with Mr. SMALL.

Mr. PARSONS with Mr. SMITH of Texas.

Mr. PORTER with Mr. SPARKMAN.

Mr. SMITH of Michigan with Mr. STANLEY.

Mr. TAYLOR of Ohio with Mr. WEBB.

Mr. WEEMS with Mr. TAYLOR of Alabama.

Mr. ALEXANDER of New York with Mr. MOORE of Texas.

The result of the vote was then announced as above recorded, and the Speaker appointed as conferees on the part of the House Mr. FOSS, Mr. LOUDENSLAGER, and Mr. PADGETT.

JOSE T. SILVA.

The SPEAKER laid before the House the following message from the President of the United States, which, with accompanying papers, was referred to the Committee on Insular Affairs and ordered to be printed:

To the Senate and House of Representatives:

In accordance with section 32 of an act of Congress entitled "An act temporarily to provide revenues and a civil government for Porto Rico, and for other purposes," approved April 12, 1900, I transmit herewith certified copies of a franchise granted by the executive council of Porto Rico to Jose T. Silva.

THEODORE ROOSEVELT.

THE WHITE HOUSE, April 29, 1908.

SUNDY CIVIL APPROPRIATION BILL.

Mr. SMITH of Iowa. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 21260, the sundry civil appropriation bill.

Mr. PAYNE. Mr. Speaker, pending that, I move that the House do now take a recess until 11.30 o'clock a. m. to-morrow.

The SPEAKER. The question is on the motion of the gentleman from New York, that the House do now take a recess until 11.30 a. m. to-morrow.

The question was taken.

Mr. WILLIAMS. Mr. Speaker, I demand the yeas and nays. The yeas and nays were ordered.

The question was taken, and there were—yeas 147, nays 80, answered "present" 8, not voting 152, as follows:

YEAS—147.

Adair	Davis, Minn.	Huff	Parker, S. Dak.
Alexander, N. Y.	Dawson	Humphrey, Wash.	Payne
Ames	Diekema	Jenkins	Perkins
Andrus	Draper	Jones, Wash.	Pollard
Barchfeld	Driscoll	Kahn	Pray
Bartholdt	Dwight	Keifer	Rainey
Beale, Pa.	Ellis, Oreg.	Kennedy, Iowa	Reeder
Bede	Englebright	Knapp	Richardson
Bennet, N. Y.	Esch	Knopf	Rodenberg
Birdsall	Focht	Küstermann	Scott
Bonyng	Foss	Lafean	Sherman
Boutell	Foster, Ind.	Lawrence	Smith, Cal.
Boyd	Foulkrod	Lee	Smith, Iowa
Brownlow	French	Lindbergh	Snapp
Brumm	Gardner, Mich.	Lindsay	Southwick
Burleigh	Gardner, N. J.	Lorimer	Stafford
Burton, Del.	Gilham	Loudenslager	Steenerson
Butler	Goebel	Lowden	Sterling
Calderhead	Graft	McGavin	Stevens, Minn.
Caldwell	Graham	McKinley, Ill.	Sturgiss
Capron	Greene	McKinney	Sulloway
Caulfield	Gronna	McLachlan, Cal.	Sulzer
Chaney	Hale	McLaughlin, Mich.	Tawney
Chapman	Hamilton, Mich.	McMorran	Thistlewood
Cocks, N. Y.	Harding	Madden	Thomas, Ohio
Cole	Haskins	Mann	Tirrell
Cook, Colo.	Haugen	Marshall	Townsend
Cook, Pa.	Hawley	Miller	Voilestad
Cooper, Pa.	Hayes	Mondell	Vreeland
Cooper, Tex.	Henry, Conn.	Moore, Pa.	Waldo
Cooper, Wis.	Higgins	Morse	Washburn
Cousins	Hinshaw	Mouser	Watson
Crumpacker	Holliday	Murdock	Wheeler
Currier	Howell, N. J.	Needham	Wilson, Ill.
Dalzell	Howell, Utah	Nelson	Wood
Darragh	Howland	Norris	Young
Davidson	Hubbard, W. Va.	Nye	

NAYS—80.

Aiken	Fitzgerald	Hughes, N. J.	Rauch
Alexander, Mo.	Floyd	Hull, Tenn.	Robinson
Ansberry	Flood	Humphreys, Miss.	Rothermel
Ashbrook	Fornes	Johnson, Ky.	Rucker
Bartlett, Ga.	Foster, Ill.	Johnson, S. C.	Russell, Mo.
Bartlett, Nev.	Gaines, Tenn.	Jones, Va.	Russell, Tex.
Beall, Tex.	Garner	Kellher	Ryan
Bell, Ga.	Gill	Kipp	Sabath
Booher	Goldfogle	Kitchin, Claude	Saunders
Burleson	Granger	Lamar, Mo.	Sheppard
Candler	Hackett	Lenahan	Sherley
Carlin	Hackney	Macon	Sherwood
Carter	Hamilton, Iowa	Moon, Tenn.	Sims
Clark, Mo.	Hamlin	Murphy	Slayden
Cox, Ind.	Hardy	Nicholls	Smith, Mo.
Denver	Heflin	O'Connell	Smith, Tex.
Dixon	Helm	Padgett	Spight
Ellerbe	Henry, Tex.	Patterson	Tou Velle
Ferris	Hill, Miss.	Randell, Tex.	Williams
Finley	Houston	Ransdell, La.	Wilson, Pa.

ANSWERED "PRESENT"—8.

Adamson	Garrett	Lamb
De Armond	Goulden	Shackleford

NOT VOTING—152.

Acheson	Edwards, Ga.	Kinkaid	Parker, N. J.
Allen	Edwards, Ky.	Kitchin, Wm. W.	Parsons
Anthony	Ellis, Mo.	Knowland	Pearre
Bannon	Fairchild	Lamar, Fla.	Peters
Barclay	Fassett	Landis	Porter
Bates	Favrot	Langley	Pou
Bennett, Ky.	Fordney	Lanning	Powers
Bingham	Foster, Vt.	Lassiter	Pratt
Bowers	Fowler	Law	Prince
Bradley	Fuller	Legare	Pujo
Brantley	Fulton	Lever	Reid
Brodhead	Gaines, W. Va.	Leake	Reynolds
Broussard	Gardner, Mass.	Lewis	Rhinock
Brundidge	Gillespie	Lilley	Riordan
Burgess	Gillett	Littlefield	Roberts
Burke	Glass	Livingston	Slemp
Burnett	Godwin	Lloyd	Small
Barton, Ohio	Gordon	Longworth	Smith, Mich.
Byrd	Gregg	Loud	Sparkman
Calder	Griggs	Lovering	Sperry
Campbell	Haggott	McCall	Stanley
Cary	Hall	McCreary	Stephens, Tex.
Clark, Fla.	Hamill	McDermott	Talbot
Clayton	Hammond	McGuire	Taylor, Ala.
Cockran	Hardwick	McHenry	Taylor, Ohio
Conner	Harrison	McKinlay, Cal.	Thomas, N. C.
Coudrey	Hay	McLain	Underwood
Craig	Hepburn	McMillan	Wallace
Cravens	Hill, Conn.	Madison	Wanger
Crawford	Hitchcock	Malby	Watkins
Cushman	Hobson	Maynard	Webb
Davenport	Hubbard, Iowa	Moon, Pa.	Weeks
Davey, La.	Hughes, W. Va.	Moore, Tex.	Weems
Dawes	Hull, Iowa	Mudd	Weisse
Denby	Jackson	Olcott	Wiley
Douglas	James, Addison D.	Olmsted	Willitt
Dunwell	James, Ollie M.	Overstreet	Wolf
Durey	Kennedy, Ohio	Page	Woodyard

So the motion was agreed to.

The Clerk announced the following additional pairs:

For the vote:

Mr. ALLEN with Mr. BRANTLEY.
Mr. ACHESON with Mr. BURNETT.
Mr. DAWES with Mr. CLAYTON.
Mr. DUREY with Mr. CRAVENS.
Mr. ELLIS of Missouri with Mr. DAVENPORT.
Mr. FORDNEY with Mr. DE ARMOND.
Mr. HALL with Mr. OLLIE M. JAMES.
Mr. KINKAID with Mr. CRAIG.
Mr. KNOWLAND with Mr. MCHEERY.
Mr. MCCALL with Mr. RIORDAN.
Mr. REYNOLDS with Mr. CRAWFORD.
Mr. SPERRY with Mr. DAVEY of Louisiana.
Mr. WEEKS with Mr. HAMILL.
Mr. McMILLAN with Mr. LEWIS.
Mr. FOWLER with Mr. STEPHENS of Texas.
Mr. GARDNER of Massachusetts with Mr. THOMAS of North Carolina.
Mr. HULL of Iowa with Mr. UNDERWOOD.
For the session:
Mr. BRADLEY with Mr. GOULDEN.

WITHDRAWAL OF OBJECTION TO EXTENDING REMARKS.

Mr. WILSON of Illinois. Mr. Speaker, I desire at this time to withdraw my objection to the request for unanimous consent of the gentleman from Pennsylvania [Mr. WILSON] to extend his remarks in the RECORD.

The SPEAKER. Pending the announcement of the vote, the gentleman from Illinois withdraws his objection to the request of the gentleman from Pennsylvania to extend his remarks in the RECORD. [After a pause.] The Chair hears no further objection.

RECESS.

The result of the vote was announced as above recorded.

Accordingly (at 5 o'clock and 11 minutes p. m.) the House stood in recess until to-morrow at 11.30 o'clock a. m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, the following executive communications were taken from the Speaker's table and referred as follows:

A letter from the Secretary of Commerce and Labor, transmitting a response to the inquiry of the House as to the investigation ordered by resolution of the House, No. 795, of the Fifty-ninth Congress (H. R. Doc. 897)—to the Committee on Interstate and Foreign Commerce and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting an estimate of appropriation for rent of building at Richmond, Va. (H. R. Doc. 898)—to the Committee on Appropriations and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a letter from the Secretary of State submitting an estimate of appropriation for expenses of the arbitration of the questions relating to the Northeastern fisheries (H. R. Doc. 899)—to the Committee on Appropriations and ordered to be printed.

A letter from the Acting Secretary of the Treasury, transmitting a copy of a letter from the Acting Secretary of the Navy submitting an estimate of appropriation for printing, binding, and casing the Navy Code (H. R. Doc. 900)—to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolution were severally reported from committees, delivered to the Clerk, and referred to the several Calendars therein named, as follows:

Mr. MARSHALL, from the Committee on Indian Affairs, to which was referred the bill of the Senate (S. 1385) to authorize the sale and disposition of a portion of the surplus and unlotted lands in the Cheyenne River and Standing Rock Indian reservations in the States of South Dakota and North Dakota, and making appropriation and provision to carry the same into effect, reported the same with amendments, accompanied by a report (No. 1539), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. FRENCH, from the Committee on Immigration and Naturalization, to which was referred the bill of the House (H. R. 18983) for the relief of clerks of courts exercising jurisdic-

tion under section 3 of the naturalization act, reported the same without amendment, accompanied by a report (No. 1540), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

He also, from the Committee on the Public Lands, to which was referred the bill of the House (H. R. 19246) authorizing the sale of certain public lands to the State of Idaho, reported the same with amendments, accompanied by a report (No. 1541), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. SHERMAN, from the Committee on Indian Affairs, to which was referred the resolution of the House (H. Res. 384) requesting the Secretary of the Interior to furnish the House of Representatives certain information in regard to the Shawnee Training School at Shawnee, Okla., reported the same without amendment, accompanied by a report (No. 1542), which said bill and report were referred to the House Calendar.

Mr. BANNON, from the Committee on the Judiciary, to which was referred the bill of the Senate (S. 390) to confer jurisdiction upon the circuit court of the United States for the ninth circuit to determine in equity the rights of American citizens under the award of the Bering Sea arbitration of Paris and to render judgment thereon, reported the same with amendments, accompanied by a report (No. 1543), which said bill and report were referred to the House Calendar.

Mr. HIGGINS, from the Committee on the Territories, to which was referred the bill of the Senate (S. 4748) to amend an act entitled "An act to define and punish crimes in the district of Alaska and to provide a code of criminal procedure for said district," approved March 3, 1890, reported the same with amendments, accompanied by a report (No. 1546), which said bill and report were referred to the House Calendar.

Mr. KIMBALL, from the Committee on the Territories, to which was referred the bill of the House (H. R. 21311) to ratify and confirm an act of the legislature of the Territory of Hawaii, authorizing the manufacture and distribution of electric light and power in the district of Wailuku, on the island of Maui, Territory of Hawaii, reported the same without amendment, accompanied by a report (No. 1547), which said bill and report were referred to the House Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 21312) to ratify an act of the legislature of the Territory of Hawaii, authorizing the manufacture, distribution, and supply of electric light and power in the district of Lahaina, county of Maui, Territory of Hawaii, reported the same without amendment, accompanied by a report (No. 1548), which said bill and report were referred to the House Calendar.

Mr. HINSHAW, from the Committee on Indian Affairs, to which was referred the bill of the Senate (S. 6163) to authorize the Secretary of the Interior to sell and dispose of the surplus unallotted agricultural lands of the Spokane Indian Reservation, Wash., and to place the timber lands of said reservation in a national forest, reported the same with amendments, accompanied by a report (No. 1549), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. WHEELER, from the Committee on Pensions, to which was referred the bill of the House (H. R. 21406) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and to certain soldiers and sailors of wars other than the civil war, and to widows and dependent relatives of such soldiers and sailors, reported the same without amendment, accompanied by a report (No. 1545), which said bill and report were referred to the Private Calendar.

Mr. HASKINS, from the Committee on War Claims, to which was referred the bill of the House (H. R. 18831) for the relief of Simon Longnecker, of El Paso, Tex., and Albert Longnecker, of Galveston, Tex., reported the same with amendments, accompanied by a report (No. 1550), which said bill and report were referred to the Private Calendar.

Mr. MILLER, from the Committee on Claims, to which was referred the bill of the House (H. R. 4286) for the relief of John Shull, reported the same with amendment, accompanied by a report (No. 1551), which said bill and report were referred to the Private Calendar.

ADVERSE REPORT.

Under clause 2, Rule XIII,
Mr. HACKNEY, from the Committee on Indian Affairs, to which was referred the bill of the House (H. R. 15868) for the relief of Robert Billsborough, reported the same adversely, accompanied by a report (No. 1544), which said bill and report were laid on the table.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on Invalid Pensions was discharged from the consideration of the bill (H. R. 21393) to remove the charge of desertion against John E. Garrison, and the same was referred to the Committee on Military Affairs.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. HUGHES of New Jersey: A bill (H. R. 21398) to provide for the purchase of a site and the erection of a public building thereon at Hackensack, in the State of New Jersey—to the Committee on Public Buildings and Grounds.

By Mr. KÜSTERMANN: A bill (H. R. 21399) to amend the national banking laws of the United States—to the Committee on Banking and Currency.

By Mr. PORTER (by request): A bill (H. R. 21400) concerning standard packages, grades, and marketing of apples—to the Committee on Interstate and Foreign Commerce.

By Mr. SMITH of Iowa: A bill (H. R. 21401) to establish a fish-cultural station at or near Council Bluffs, in the State of Iowa—to the Committee on the Merchant Marine and Fisheries.

By Mr. SHEPPARD: A bill (H. R. 21402) to create a Committee on Interstate and Foreign Quarantine and Public Health—to the Committee on Rules.

By Mr. GAINES of Tennessee: A bill (H. R. 21403) to exempt news paper and paper used in printing from tariff duties, and to amend the tariff laws—to the Committee on Ways and Means.

By Mr. LOVERING: A bill (H. R. 21404) to provide for the safe transportation to the port of destination of bodies of persons dying at sea—to the Committee on Interstate and Foreign Commerce.

By Mr. JENKINS: A bill (H. R. 21405) relating to the receipts, expenses, and disbursements of the district court of the United States for Porto Rico, and for other purposes—to the Committee on the Judiciary.

By Mr. WHEELER, from the Committee on Pensions: A bill (H. R. 21406) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and to certain soldiers and sailors of wars other than the civil war, and to widows and dependent relatives of such soldiers and sailors—to the Private Calendar.

By Mr. SHERWOOD: A bill (H. R. 21407) for the purchase of a site for a Federal building for the United States post-office at Bowling Green, Ohio—to the Committee on Public Buildings and Grounds.

By Mr. LOWDEN: A bill (H. R. 21408) amending section 5 of an act entitled "An act to enable national banking associations to extend their corporate existence, and for other purposes," approved July 12, 1882—to the Committee on Banking and Currency.

By Mr. MOORE of Texas: A bill (H. R. 21409) to provide for the selection of a site for the establishment of a navy-yard, dry dock, and naval training station on or near Morgans Point, in San Jacinto Bay, in the State of Texas—to the Committee on Naval Affairs.

By Mr. BRADLEY: A bill (H. R. 21410) granting condemned ordinance to certain institutions—to the Committee on Military Affairs.

By Mr. COUSINS: A bill (H. R. 21411) providing for the exchange of certain land in Peking, China—to the Committee on Foreign Affairs.

By Mr. MONDELL: A bill (H. R. 21412) to encourage the development of coal deposits in the district of Alaska—to the Committee on the Public Lands.

By Mr. KAHN: A bill (H. R. 21413) to amend an act entitled "An act to regulate commerce," approved February 4, 1887, as amended by an act approved June 30, 1906—to the Committee on Interstate and Foreign Commerce.

By Mr. VREELAND: A bill (H. R. 21414) to amend the national banking laws—to the Committee on Banking and Currency.

By Mr. BOWERS: Joint resolution (H. J. Res. 173) for the relief of the sufferers from the cyclone which occurred in the States of Georgia, Alabama, Mississippi, and Louisiana, on April 24, 1908—to the Committee on Military Affairs.

By Mr. SMITH of Iowa: Joint resolution (H. J. Res. 174) referring H. R. 21249 to the Court of Claims—to the Committee on Claims.

By Mr. SMALL: Concurrent resolution (H. C. Res. 39) directing the Secretary of War to cause to be made a survey for certain continuous waterway routes—to the Committee on Rivers and Harbors.

By Mr. KENNEDY of Ohio: Resolution (H. Res. 386) to continue the employment of the messenger on the heavy mail wagon in the House post-office—to the Committee on Accounts.

By Mr. SMITH of Michigan: Resolution (H. Res. 387) providing for an investigation of Western Union Telegraph Company and Postal Telegraph Cable Company—to the Committee on Interstate and Foreign Commerce.

By Mr. HAMILTON of Michigan: Resolution (H. Res. 388) for additional compensation for certain employees of the House—to the Committee on Accounts.

By Mr. STEPHENS of Texas: Resolution (H. Res. 389) directing the investigation of the late Choctaw-Chickasaw citizenship court—to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. ADAIR: A bill (H. R. 21415) granting an increase of pension to Thomas Klugh—to the Committee on Invalid Pensions.

By Mr. ALEXANDER of Missouri: A bill (H. R. 21416) granting an increase of pension to William H. Bascue—to the Committee on Invalid Pensions.

By Mr. ANSBERRY: A bill (H. R. 21417) granting an increase of pension to Abraham Shufelt—to the Committee on Invalid Pensions.

Also, a bill (H. R. 21418) granting an increase of pension to Samuel W. Koser—to the Committee on Invalid Pensions.

By Mr. BELL of Georgia: A bill (H. R. 21419) for the relief of Steven Pittman—to the Committee on Military Affairs.

Also, a bill (H. R. 21420) for the relief of John B. De Bord—to the Committee on War Claims.

Also, a bill (H. R. 21421) granting a pension to Jackson A. Watkins—to the Committee on Pensions.

Also, a bill (H. R. 21422) granting a pension to William A. Senkbell—to the Committee on Pensions.

By Mr. BROWNLOW (by request): A bill (H. R. 21423) granting an increase of pension to Elizabeth C. Montrose—to the Committee on Invalid Pensions.

By Mr. CALDERHEAD: A bill (H. R. 21424) granting an increase of pension to Christian C. Fleck—to the Committee on Invalid Pensions.

Also, a bill (H. R. 21425) granting an increase of pension to Robert H. Millen—to the Committee on Invalid Pensions.

By Mr. CANDLER: A bill (H. R. 21426) for the relief of the estate of W. R. Smith, deceased—to the Committee on War Claims.

By Mr. CUSHMAN: A bill (H. R. 21427) granting an increase of pension to Isaac V. Mossman—to the Committee on Pensions.

By Mr. DE ARMOND: A bill (H. R. 21428) granting a pension to Sarah B. Mitchell—to the Committee on Invalid Pensions.

By Mr. FASSETT: A bill (H. R. 21429) granting a pension to Josephine I. Kennedy—to the Committee on Invalid Pensions.

Also, a bill (H. R. 21430) granting an increase of pension to Thomas Freeland—to the Committee on Invalid Pensions.

By Mr. FLOOD: A bill (H. R. 21431) granting an increase of pension to Ellen B. Lee—to the Committee on Pensions.

By Mr. FOULKROD: A bill (H. R. 21432) granting an increase of pension to John J. Sharp—to the Committee on Invalid Pensions.

By Mr. GAINES of Tennessee: A bill (H. R. 21433) for the relief of Peter Holt—to the Committee on War Claims.

By Mr. HARDY: A bill (H. R. 21434) granting a pension to Martha J. Kolb—to the Committee on Pensions.

By Mr. HOWELL of Utah: A bill (H. R. 21435) granting an increase of pension to A. S. Thomson—to the Committee on Pensions.

By Mr. HULL of Iowa: A bill (H. R. 21436) granting an increase of pension to Edward Brown—to the Committee on Invalid Pensions.

By Mr. KIMBALL: A bill (H. R. 21437) for the relief of the legal representatives of James S. Clark, deceased—to the Committee on War Claims.

By Mr. LENAHER: A bill (H. R. 21438) granting an increase of pension to Francis M. Lutz—to the Committee on Invalid Pensions.

By Mr. McMORRAN: A bill (H. R. 21439) granting an increase of pension to Sarah Baker—to the Committee on Invalid Pensions.

By Mr. MAYNARD: A bill (H. R. 21440) granting a pension to Anna P. Smith—to the Committee on Pensions.

By Mr. PORTER: A bill (H. R. 21441) granting an increase of pension to Walter D. Brock—to the Committee on Invalid Pensions.

By Mr. SMITH of Iowa: A bill (H. R. 21442) for the relief of John M. Boyd—to the Committee on Claims.

By Mr. STURGISS: A bill (H. R. 21443) granting an increase of pension to Andrew J. Williams—to the Committee on Invalid Pensions.

Also, a bill (H. R. 21444) to reimburse the estate of Samuel Caldwell, deceased—to the Committee on War Claims.

By Mr. SULLOWAY: A bill (H. R. 21445) granting an increase of pension to Edward L. Bailey—to the Committee on Invalid Pensions.

By Mr. TALBOTT: A bill (H. R. 21446) granting an increase of pension to John R. Allen—to the Committee on Invalid Pensions.

By Mr. WEISSE: A bill (H. R. 21447) granting an increase of pension to Jay D. Howard—to the Committee on Invalid Pensions.

Also, a bill (H. R. 21448) granting an increase of pension to Albert Wittle—to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ACHESON: Petitions of citizens of Monaca and New Castle, Pa.; also Electrical Workers' Union, No. 33, Painters' Union, No. 24, Paperhangers' Union, No. 101, and Carpenters' Union, No. 206, of New Castle, Pa., for amendment to Sherman antitrust law and for Pearre bill, employers' liability bill, and eight-hour law—to the Committee on the Judiciary.

Also, petition of department of health of State of Pennsylvania, favoring the call of a conference at the White House to consider the conservation of natural resources of the country—to the Committee on Interstate and Foreign Commerce.

Also, petition of Building Association League of Pennsylvania, for amendment of H. R. 18525 so as to exempt building and loan associations that make loans to their members only—to the Committee on Ways and Means.

By Mr. ADAMSON: Petition of Atlanta Federation of Trades, for amendment to Sherman antitrust law (H. R. 20584) and for Pearre bill (H. R. 94), employers' liability bill, and the eight-hour bill—to the Committee on the Judiciary.

By Mr. ANSBERRY: Joint memorial of assembly of the State of Ohio, for establishment of a national bureau of health—to the Committee on Interstate and Foreign Commerce.

By Mr. ASHBROOK: Petition of United Mine Workers of Conesville, Ohio, for amendment to Sherman antitrust law, for the Pearre bill, employers' liability bill, and the eight-hour law—to the Committee on the Judiciary.

Also, paper to accompany bill for relief of August Hofaker—to the Committee on Pensions.

By Mr. BIRDSALL: Petitions of citizens of Waterloo and Dubuque, for the amendment to the Sherman antitrust law known as the "Wilson bill" (H. R. 20584), for the Pearre bill (H. R. 94), the employers' liability bill, and the eight-hour bill—to the Committee on the Judiciary.

By Mr. BURLEIGH: Petition of citizens of Maine, for a national highways commission and Federal aid in construction of highways (H. R. 15837)—to the Committee on Agriculture.

Also, petition of Local No. 73, International Brotherhood of Paper Mill Workers, of Madison, against the repeal of the duty on wood pulp—to the Committee on Ways and Means.

By Mr. CAPRON: Evidence in support of the bill granting an increase of pension to Charles H. Wilmarth—to the Committee on Invalid Pensions.

By Mr. COOK of Pennsylvania: Petition of Building Association League of Pennsylvania, for amendment of H. R. 18525 (Hepburn bill), so as to exempt building and loan associations that make loans to their members only—to the Committee on Ways and Means.

Also, petition of working citizens of Philadelphia, for exemption of labor unions from operations of the Sherman antitrust law, for the Pearre bill, employers' liability bill, and the eight-hour bill—to the Committee on the Judiciary.

Also, petition of Fred C. Berge, for remedial legislation excluding labor unions from provisions of the Sherman antitrust law—to the Committee on the Judiciary.

By Mr. COOPER of Pennsylvania: Petition of Chamber of Commerce of Pittsburg, Pa., for legislation to secure the conservation of the natural resources of the United States—to the Committee on Interstate and Foreign Commerce.

Also, petition of Building Association League of Pennsylvania, for amendment of H. R. 18525 so as to exempt building and loan associations that make loans to their members only—to the Committee on Ways and Means.

By Mr. COUSINS: Petition of A. M. McDermott and other citizens of Los Angeles, Cal., favoring H. R. 28, expressing sympathy with the people of Russia—to the Committee on Foreign Affairs.

By Mr. COX of Indiana: Petition of citizens of Milltown and New Albany, Ind., for amendment to Sherman antitrust law, and for Pearre bill, employers' liability bill, and eight-hour law—to the Committee on the Judiciary.

By Mr. DAWSON: Petition of Iowa Park and Forestry Association, for forest reservations in White Mountains and Southern Appalachian Mountains—to the Committee on Agriculture.

By Mr. DRISCOLL: Petitions of Meat Cutters and Butchers' Union and Retail Clerks' Union No. 243, of Syracuse, N. Y., for amendment to Sherman antitrust law, and for Pearre bill, employers' liability bill, and the eight-hour bill—to the Committee on the Judiciary.

By Mr. ESCH: Petition of citizens of Eau Claire, Wis., for amendment to Sherman antitrust law, and for the Pearre bill, employers' liability bill, and the eight-hour bill—to the Committee on the Judiciary.

By Mr. FLOOD: Petition of sundry citizens of Arvon, Va., for exemption of labor unions from the operations of the Sherman antitrust law, for the Pearre bill regulating injunctions, for the employers' liability act, and for the eight-hour law—to the Committee on the Judiciary.

By Mr. FORNES: Petitions of Maywood Post, No. 184, of Corning; Uncle Sam Post, No. 177, of the Soldiers' Home, Los Angeles; W. T. Sherman Post, No. 96, of Oroville; and T. B. Stevens Post, No. 103, of Elsinore, Grand Army of the Republic, all in the State of California, for H. R. 220—to the Committee on the Judiciary.

Also, petition of Royal Brewing Company, of Kansas City, Mo., against S. 6576—to the Committee on the Judiciary.

By Mr. FOCHT: Petition of citizens of Alexandria, Pa., for S. 3152, for additional protection to dairy interests—to the Committee on Agriculture.

By Mr. FRENCH: Petition of citizens of Sandpoint, Idaho, for amendment to Sherman antitrust law, and for Pearre bill, employers' liability bill, and the eight-hour bill—to the Committee on the Judiciary.

By Mr. GARDNER of Massachusetts: Petition of mass meeting of the citizens of Lanesville, Mass., for amendment to Sherman antitrust law, and for the Pearre bill regulating injunctions, employers' liability bill, and national eight-hour law—to the Committee on the Judiciary.

Also, petition of Haverhill Shoe Council, No. 2, for amendment to the Constitution striking out the word "male"—to the Committee on the Judiciary.

By Mr. GOULDEN: Petitions of Unity Post, No. 171, Veterans' Home, Napa County; Maywood Post, No. 184, of Corning; Uncle Sam Post, No. 117, of Soldiers' Home, Los Angeles; W. T. Sherman Post, No. 96, of Oroville; and T. B. Stevens Post, No. 103, of Elsinore, Grand Army of the Republic, all in the State of California, for H. R. 220—to the Committee on the Judiciary.

By Mr. GRANGER: Resolutions of Rhode Island League of Improvement Societies, in favor of the great objects which the conference at the White House has been called to promote, relative to conservation of natural resources of the United States—to the Committee on Interstate and Foreign Commerce.

By Mr. HARDWICK: Petition of Federation of Trades of Atlanta, Ga., for exemption of labor unions from the operations of the Sherman antitrust law, for the Pearre bill regulating injunctions, for the employers' liability act, and for the eight-hour law—to the Committee on the Judiciary.

By Mr. HASKINS: Petitions of Quarry Workers' International Union, No. 21, of East Bethel, Vt., for H. R. 19745 (Hepburn amendment to the Sherman antitrust act) and Pearre injunction bill—to the Committee on the Judiciary.

By Mr. HIGGINS: Petition of Business Men's Association of Hartford, Conn., for forest reservations in White Mountains and Southern Appalachian Mountains—to the Committee on Agriculture.

Also, petition of Preston (Conn.) City Grange, in favor of H. R. 15837, for a national highways commission and appropriation giving Federal aid to construction and maintenance of public highways—to the Committee on Agriculture.

By Mr. HOWELL of New Jersey: Petition of mass meeting held at Long Branch, N. J., for exemption of labor unions from the operations of the Sherman antitrust law, for the Pearre bill regulating injunctions, for the employers' liability act, and for the eight-hour law—to the Committee on the Judiciary.

Also, petition of J. W. Mount Company, of Red Bank, N. J., praying for the creation of a national highways commission (H. R. 15837)—to the Committee on Agriculture.

By Mr. HOWELL of Utah: Memorial of 500 citizens in a meeting called by the mayor of Salt Lake City, that favored treaties of arbitration between all nations conferring upon the international court at The Hague jurisdiction as broad as practically possible—to the Committee on Foreign Affairs.

Also, petition of G. Renhart and others, connected with Mining Record, Denver, in support of a bureau of mines—to the Committee on Mines and Mining.

By Mr. HUGHES of New Jersey: Petition of Trades League of Philadelphia, favoring H. R. 10457, for forest reservations in White Mountains and Southern Appalachian Mountains—to the Committee on Agriculture.

Also, petition of Merchants' Association of New York City, against the Vreeland bill, and for a currency commission—to the Committee on Banking and Currency.

Also, petition of Chicago City Club, favoring H. R. 10457, for forest reservations in White Mountains and Southern Appalachian Mountains—to the Committee on Agriculture.

By Mr. KELIHER: Petition of Massachusetts State Board of Trade (executive council), indorsing action of the President in calling a conference of the governors and Representatives and Senators to consider the conservation of our natural resources—to the Committee on Interstate and Foreign Commerce.

Also, petition of Boston Lodge, No. 431, International Brotherhood of Boiler Makers, Iron-Ship Builders and Helpers of America, favoring bills affecting labor, amendment to Sherman antitrust law, the Pearre bill, employers' liability bill, and the eight-hour bill—to the Committee on the Judiciary.

By Mr. KENNEDY of Ohio: Petition of United Mine Workers of America, favoring H. R. 10556, for alleviating sufferings incident to accidents in coal mines (McHenry bill)—to the Committee on Mines and Mining.

Also, petition of E. L. Augustine and others, for battle-ship construction in the navy-yards—to the Committee on Naval Affairs.

Also, petition of Friends' Christian Alliance of Ohio, favoring prohibition in the District of Columbia—to the Committee on the District of Columbia.

Also, petition of Merchants' Association of New York, against the Aldrich currency bill (S. 3023)—to the Committee on Banking and Currency.

Also, petition of Local Union No. 200, International Typographical Union, of Youngstown, for repeal of the duty on wood pulp—to the Committee on Ways and Means.

Also, petition of Cleveland Chamber of Commerce, against S. R. 46 (Frye resolution), restricting the carrying of material and supplies to the Panama Canal to American ships—to the Committee on the Merchant Marine and Fisheries.

Also, petition of Cleveland Chamber of Commerce, indorsing S. 28, Report No. 168, providing for ocean mail service—to the Committee on the Merchant Marine and Fisheries.

Also, petitions of Salem Iron Company, of Latonia, Ohio; Silver Manufacturing Company, of Salem, Ohio, and the Banner Electric Company, favoring the Gallinger amendment to shipping act of 1891—to the Committee on the Merchant Marine and Fisheries.

Also, petition of Alfred H. Beckman, for the Hepburn amendment to the Sherman antitrust law (H. R. 19745)—to the Committee on the Judiciary.

Also, petition of Sebring, Ohio, Pottery Company, favoring amendment to interstate-commerce law giving the Commission power to put in force a uniform classification of freight—to the Committee on Interstate and Foreign Commerce.

Also, petition of Trades and Labor Assembly of Salem, Ohio, against enactment of S. 1518, revising section 3893 of Revised Statutes of United States—to the Committee on the Post-Office and Post-Roads.

Also, petitions of the Wirschings Organ Company, Hillgreen Lane & Co., E. J. Shaffer & Co., the Scott & Jones Company, J. D. Lovett, and Klein & Heffelman, for amendment to copyright law to benefit musical composers—to the Committee on Patents.

Also, petition of citizens of East Liverpool, for amendment to Sherman antitrust law, and for Pearre bill, employers' liability bill, and eight-hour bill—to the Committee on the Judiciary.

By Mr. LINDBERGH: Petition of citizens of Brainerd, Minn., for amendment to Sherman antitrust law (H. R. 19745) and for Wilson bill (H. R. 20584) and Pearre bill (H. R. 94)—to the Committee on the Judiciary.

By Mr. LINDSAY: Petitions of legislation committee of Winthrop Lodge, No. 449, Edward J. McKee, member, and others, for the Wilson bill (H. R. 20584), for the Pearre bill (H. R. 94), the employers' liability bill, and the eight-hour bill—to the Committee on the Judiciary.

Also, petition of William Crawford and other citizens of Brooklyn, for amendment to Sherman antitrust law, for Pearre bill, employers' liability bill, and the eight-hour bill—to the Committee on the Judiciary.

Also, petition of Music Engravers' Union, for amendment proposed by American Federation of Labor conference to the Sherman antitrust law, and for the Pearre bill, the employers' liability bill, and the national eight-hour law—to the Committee on the Judiciary.

Also, petition of James R. Foard Company, against S. R. 46 (Frye resolution), restricting the carrying of material and supplies to the Panama Canal to American ships—to the Committee on the Merchant Marine and Fisheries.

Also, petition of citizens of Brooklyn, N. Y., for the amendment to the Sherman antitrust law known as the "Wilson bill" (H. R. 20584), for the Pearre bill (H. R. 94), the employers' liability bill, and the eight-hour bill—to the Committee on the Judiciary.

Also, petition of the Royal Brewing Company, of Kansas City, against the Knox liquor bill (H. R. 6576)—to the Committee on the Judiciary.

Also, petition of International Tuberculosis Congress, for adequate quarters in Washington for the forthcoming convention of that congress—to the Committee on Assignment of Rooms.

By Mr. LOUDENSLAGER: Petitions of citizens of Woodbury; Edward S. Zimmerman and William C. White, of Williamstown; George P. Pierce, of Woodbury, and other citizens of the district, all of the State of New Jersey, for exemption of labor unions from operations of the Sherman antitrust law, for the Pearre bill, employers' liability bill, and the eight-hour bill—to the Committee on the Judiciary.

By Mr. McGAVIN: Petition of Chicago city council, for H. R. 15123 and 15267 and S. 4395, relative to conduct of telegraph companies—to the Committee on Interstate and Foreign Commerce.

By Mr. McMORRAN: Petition of Port Huron (Mich.) Trade and Labor Council, for the amendment to the Sherman antitrust law known as the "Wilson bill" (H. R. 20584), for the Pearre bill (H. R. 94), the employers' liability bill, and the eight-hour bill—to the Committee on the Judiciary.

By Mr. MOON of Tennessee: Petition of citizens of Alton Park, for the amendment to the Sherman antitrust law known as the "Wilson bill" (H. R. 20584), for the Pearre bill (H. R. 94), the employers' liability bill, and the eight-hour bill—to the Committee on the Judiciary.

By Mr. NICHOLLS: Petition of citizens of Lackawanna, for S. 3152, for additional protection to dairy interests—to the Committee on Agriculture.

By Mr. NYE: Petition of committee of organized labor of Minneapolis, Minn., for amendment proposed by American Federation of Labor conference to the Sherman antitrust law, and for the Pearre bill, the employers' liability bill, and the national eight-hour law—to the Committee on the Judiciary.

By Mr. PAGE: Petition of North Carolina Press Association, favoring repeal of duty on white paper and wood pulp, etc.—to the Committee on Ways and Means.

By Mr. PEARRE: Petition of mass meeting of citizens of Cumberland, Md., and Labor Lyceum of Baltimore, favoring bills affecting labor, amendment to Sherman antitrust law, the Pearre bill, employers' liability bill, and the eight-hour bill—to the Committee on the Judiciary.

By Mr. PETERS: Petition of working citizens of Boston, Mass., for amendment to Sherman antitrust law, and for Pearre bill, employers' liability bill, and eight-hour law—to the Committee on the Judiciary.

By Mr. PARKER of South Dakota: Petition of citizens of South Dakota, urging passage of H. R. 4776 and defeat of canteen legislation—to the Committee on the Judiciary.

By Mr. PRINCE: Petition of citizens of Galesburg, Ill., for amendment to Sherman antitrust law, and for Pearre bill, employers' liability bill, and the eight-hour bill—to the Committee on the Judiciary.

Also, petition of citizens of Geneseo, Ill., for exemption of labor unions from the operations of the Sherman antitrust law, for the Pearre bill regulating injunctions, for the employers' liability act, and for the eight-hour law—to the Committee on the Judiciary.

By Mr. ROBERTS: Petition of Boston Clearing-House Association, against Aldrich bill (S. 3023)—to the Committee on Banking and Currency.

By Mr. RIORDAN: Petition of Max Shubert, of New York City, for H. R. 20584, amendment to Sherman antitrust law; for the Pearre bill (H. R. 94), employers' liability bill, and the eight-hour bill—to the Committee on the Judiciary.

Also, petition of American Forestry Association, asking for repeal of duty on white paper, wood pulp, etc.—to the Committee on Ways and Means.

By Mr. RYAN: Petition of Samuel Schull and others, Council Hall, Buffalo, N. Y., and Stone Pavers' Union of Buffalo, N. Y., for the enactment of the bills H. R. 94 and H. R. 20584, a general employers' liability law and bill limiting a day's labor to eight hours upon work done for the Government, and anti-injunction law, etc.—to the Committee on the Judiciary.

By Mr. SHERMAN: Petition of citizens of Utica, N. Y., for the amendment to the Sherman antitrust law known as the "Wilson bill" (H. R. 20584), for the Pearre bill (H. R. 94), the employers' liability bill, and the eight-hour bill—to the Committee on the Judiciary.

By Mr. SMITH of Missouri: Petition of organized labor and sympathizers, of Flat River, Mo., favoring bills affecting labor, amendment to Sherman antitrust law, the Pearre bill, employers' liability bill, and the eight-hour bill—to the Committee on the Judiciary.

By Mr. SPERRY: Resolutions of the Business Men's Association and Chamber of Commerce, of New Haven, Conn., urging the erection of a new public building at New Haven—to the Committee on Public Buildings and Grounds.

By Mr. SOUTHWICK: Petition of Trades Assembly of Schenectady, N. Y., for amendment to Sherman antitrust law, for the Pearre bill regulating injunctions, employers' liability bill, and national eight-hour law—to the Committee on the Judiciary.

By Mr. SULZER: Petition of J. C. Scantling, favoring H. R. 7558, to increase efficiency of the Army of the United States—to the Committee on Military Affairs.

Also, petition of James R. Foard & Co., of Baltimore, Md., against S. R. 46 (Frye resolution), restricting the carrying of material and supplies to the Panama Canal to American ships—to the Committee on the Merchant Marine and Fisheries.

By Mr. TALBOTT: Petition of trade and labor organization of Cumberland, Md., for amendment proposed by American Federation of Labor conference to the Sherman antitrust law, and for the Pearre bill, the employers' liability bill, and the national eight-hour law—to the Committee on the Judiciary.

By Mr. VREELAND: Petitions of citizens of Randolph, N. Y.; Allegheny County, N. Y.; Richburg, N. Y., against H. R. 4897, for religious legislation for the District of Columbia—to the Committee on the District of Columbia.

Also, petition of Cottage Grange, No. 829; Elmer E. Eddy, of Mansfield, N. Y., and E. E. Burlingame and others, of Olean, N. Y., for the establishment of a national highways commission—to the Committee on Agriculture.

By Mr. WEISSE: Petition of City Club of Chicago, Ill., praying for the establishment of the White Mountain and Appalachian Forest Reserve—to the Committee on Agriculture.

Also, petition of Chamber of Commerce of Milwaukee, Wis., asking for a deep waterway from the Lakes to the Gulf—to the Committee on Rivers and Harbors.

Also, petition of American Newspaper Publishers' Association, praying for removal of duty on wood pulp—to the Committee on Ways and Means.

By Mr. WILSON of Pennsylvania: Petition of Branch No. 122, Glass Bottle Blowers' Association of the United States, signed by J. G. Chase and 104 other residents of Shinglehouse, Pa., for the passage of the Wilson bill (H. R. 20584), the Pearre bill (H. R. 94), employers' liability bill, and labor's eight-hour bill—to the Committee on the Judiciary.